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MEETING MINUTES

Tuesday, January 8, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*None.*
Members Absent:	*None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll all Supervisors were noted present. There was a quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Sandoval, seconded by Supervisor Chu, moved to approve Board Meeting Minutes for November 20, 2007, December 4, 2007 and December 11, 2007. The motion carried by the following vote:

3 1223 08514 6059

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

071436 [Appropriating $33,521,354 of land sales revenue for construction at 525 Golden Gate to the San Francisco Public Utilities Commission for Fiscal Year 2007-2008] **Mayor**

Ordinance appropriating $33,521,354 of San Francisco Water and Wastewater Enterprises estimated land sales revenues from properties including BART land, Petrocchi Brothers property, 425 Mason Street, Muni Transfer at Cesar Chavez, Peter Naughton Easement Transfer, Sea Cliff Lot, Chestnut and El Camino property in South San Francisco, Manzano Way lots in Fremont, PG&E Jefferson Martin Line, and Martin Gaehwhiler property, for costs related to architectural, excavation design services, construction and construction management at 525 Golden Gate Avenue to the San Francisco Public Utilities Commission for Fiscal Year 2007-2008.
(Fiscal Impact.)

Enacted Number: 6-08

FINALLY PASSED

071469 **[Accept-Expend Federal Grant - Sheriff's Department]** **Supervisor Alioto-Pier**

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance 2007-2008) to reflect the addition of a .50 FTE 8420 Program Rehabilitation Services Coordinator in the Sheriff's Department, and a .50 FTE 2586 Health Worker II and .50 FTE 2803 Epidemiologist in the Department of Public Health, and authorizing the Sheriff's Department to accept and expend a 12-month grant in the amount of $391,556 from the U.S. Department of Health and Human Services for the Women's Integrated Skills (WISH) Project and waiving indirect costs.

Enacted Number: 5-08

FINALLY PASSED

071568 **[Appropriating $250,000 Unappropriated Port Operating Fund Balance for Fuel Spill Clean-up Activities in the Port of San Francisco for Fiscal Year 2007-2008]** **Mayor**

Ordinance appropriating $250,000 of Unappropriated Fund Balance from the Port Operating Fund to fund fuel spill clean-up by commercial vessels under

contract with the Port of San Francisco and under direction of the Cosco Busan Incident Command retroactive to November 10, 2007 in the Port of San Francisco Fiscal Year 2007-2008.
(Fiscal Impact.)

Enacted Number: 3-08
FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

070134 [Golden Gate Park-Authorization to Construct Skate Park] **Supervisors Mirkarimi, Alioto-Pier**

Ordinance making environmental findings and authorizing the creation of a skate park in the block of Waller Street in Golden Gate Park, between Stanyan Street and Kezar Drive, pursuant to Charter Section 4.113.

Enacted Number: 1-08
FINALLY PASSED

070508 [Banning alcohol in children's play areas] **Supervisors Alioto-Pier, Chu**

Ordinance amending Section 4.10 of the Park Code to ban consumption of alcohol in children's play areas.

Enacted Number: 2-08

FINALLY PASSED

Recommendations of the Rules Committee

071609 [Appointment - Sunshine Ordinance Task Force 2000]

Resolution appointing Marjorie Ann Williams, term ending April 27, 2009 to the Sunshine Ordinance Task Force.

Marjorie Ann Williams, succeeding herself, term expired, seat 11, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2009.

Enacted Number: 6-08

ADOPTED

071610 [Appointment - Mental Health Board]

Resolution appointing Richard Rodriguez, term ending January 31, 2010, to the Mental Health Board.

Richard Rodriguez, succeeding Rebecca Turner, resigned, seat 15, must be a health professional, for the unexpired portion of a three-year term ending January 31, 2010.

Enacted Number: 7-08

ADOPTED

071611 [Appointment - Developmental Disabilities Area Board V]

Resolution appointing Levi Nnaemeka and Donna Adkins, terms ending December 31, 2010, to Developmental Disabilities Area Board V.

Levi Nnaemeka, succeeding himself, term expired, seat 1, must represent the general public, for a new three-year term ending December 31, 2010. Donna Adkins, succeeding herself, term expired, seat 2, must have a demonstrated interest and leadership in human services, for a new three-year term ending December 31, 2010.

Enacted Number: 8-08

ADOPTED

071617 [Appointment - Sweatfree Procurement Advisory Group]

Resolution appointing Jason Oringer, Alicia Culver, Sarah Leiber Church and Virginia Villegas, terms ending December 17, 2009, to the Sweatfree Procurement Advisory Group, residency requirement waived.

Jason Oringer, succeeding himself, term expired, seat 1, must have significant experience representing employees in labor matters, for a two-year term ending December 17, 2009. Alicia Culver (residency requirement waived), succeeding herself, term expired, seat 2, must have significant experience acquiring goods or services for a public entity, for a two-year term ending December 17, 2009. Sarah Leiber Church (residency requirement waived), succeeding herself, term expired, seat 3, must have significant experience as an advocate for human rights or the poor, for a two-year term ending December 17, 2009. Virginia Villegas, succeeding herself, term expired, seat 5, must be a member of the public, for a two-year term ending December 17, 2009.

Enacted Number: 9-08

ADOPTED

071619 [Appointment - San Francisco Health Authority]

Resolution appointing Linda Bien, term ending January 15, 2010, to the San Francisco Health Authority, residency requirement waived.

Linda Bien, succeeding herself, term expired, seat 6, must be an employee in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the SF Community Clinic Consortium, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2010.

Enacted Number: 10-08

ADOPTED

071654 [Appointment - Local Homeless Coordinating Board]

Resolution appointing Wendy Phillips, term ending October 21, 2010, to the Local Homeless Coordinating Board.
Wendy Phillips, succeeding L. S. Wilson, Jr., resigned, seat 2, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for the unexpired portion of a five-year term ending October 21, 2010.

Enacted Number: 11-08

ADOPTED

071550 [Appointment - Asthma Task Force]

Resolution appointing Denysius Cruz and Michelle Reyes, terms ending July 1, 2008, to the Asthma Task Force.
Denysius Cruz, succeeding Mariaelena Alioto, term expired, seat 5, must be an individual who is either persons with asthma, the parent of a child with asthma, or an asthma patient advocate, for the

unexpired portion of a new two-year term ending July 1, 2008. Michelle Reyes, succeeding Veronica Lightfoot, term expired, seat 6, must be an individual who is either persons with asthma, the parent of a child with asthma, or an asthma patient advocate, for the unexpired portion of a new two-year term ending July 1, 2008.

Enacted Number: 12-08

ADOPTED

071618 [Appointment - Children and Families First Commission]

Resolution appointing Maria X. Martinez and September Jarrett, for indefinite terms, to the Children and Families First Commission.
Maria X. Martinez, succeeding Virginia Smyly, resigned, seat 1, must be the Director of Public Health or his/her designee, for an indefinite term.
September Jarrett, succeeding Margaret Brodkin, resigned, seat 4, must be the Director of the Office of Children, Youth and Their Families or his or her designee, for an indefinite term.

Enacted Number: 14-08

ADOPTED

071612 [Settlement of Eminent Domain Lawsuit Against the City and County of San Francisco]

Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for $1,088,000.00; the lawsuit was filed on June 6, 2006 in San Francisco Superior Court, Case No. CGC-06-452985; entitled Pacific Gas & Electric Company v. City and County of San Francisco; other material terms of said settlement are set forth in the Stipulation for Entry of Judgment in Condemnation and the Judgment in Condemnation, contained in Board of Supervisors File No. 071612. (City Attorney)

PASSED, ON FIRST READING

071575 [Settlement of Lawsuit - Trustees of The J. David Gladstone Institutes, et al., v. CCSF]

Ordinance authorizing settlement of the lawsuit filed by Trustees of The J. David Gladstone Institutes against the City and County of San Francisco for the payment of $420,000 to the City and County of San Francisco; the lawsuit was filed on February 13, 2007 in San Francisco Superior Court, Case No. 460-409; entitled Trustees of The J. David Gladstone Institutes, et al., v. City and County of San Francisco, et al; other material terms of the settlement are that the Lease will be amended to terminate The J. David Gladstone Institutes as a tenant of San Francisco General Hospital Building 40. (City Attorney)

PASSED, ON FIRST READING

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

071089	**[Warning on cough and cold medicine for infants and young children ordinance]**	**Supervisors Alioto-Pier, Dufty, Ammiano**

Ordinance amending the San Francisco Health Code by adding Article 36, Sections 3601 through 3609, to: (1) require businesses located in the City and County of San Francisco to post point-of-sale warnings on administering cough and cold medicine to infants and children younger than 6 years, and (2) provide penalties for violations.

Supervisor Ammiano requested to be added as a *co-sponsor.*

Enacted Number: 4-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 1 - Peskin

Recommendation of the Rules Committee

071538 [Imposing a suppression order upon the Board of Supervisors] Supervisor Sandoval

Motion self-imposing a suppression order upon members of the Board of Supervisors and its staff after the Ethics Commission has forwarded to the Board a recommendation in the official misconduct proceedings against Supervisor Edmund Jew.

Supervisor Chu was previously excused from voting on this matter.
Continued to January 29, 2008

Supervisor Sandoval, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Chu

Recommendation of the Government

Audit and Oversight Committee

071593	**[Agreement with King Security Services Inc. for Armed and Unarmed Security Guard Services]**	**Supervisor Elsbernd**

Resolution authorizing a three year agreement, with option to renew for up to an additional two years, with King Security Services, Inc. for an amount not to exceed $17,100,000.
(Supervisor Daly dissented in Committee.) (Fiscal Impact.)

Continued to February 5, 2008

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Board of Supervisors Sitting as a Committee of the Whole

071218	**[Charter Amendment - San Francisco Affordable Housing Fund and Public Accountability]**	**Supervisors Daly, Ammiano, Mirkarimi, Peskin,**

Maxwell,
Sandoval,
Dufty,
McGoldrick

Charter amendment (Fourth Draft) to add Section 16.127 to: establish a baseline appropriation and set aside the equivalent of the available annual tax of two and one-half cents ($0.025) on each one hundred dollars ($100) of assessed property tax valuation for the next fifteen (15) years to support affordable housing programs; require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; affirm City policy urging the Redevelopment Agency to use at least fifty percent (50%) of its tax increment funds for low and moderate income housing; and set an expiration date of July 1, 2024.

The President inquired as to whether any member of the public wished to address the Board members.
Jamie Whitaker; opposed the housing affordable Charter amendment
Calvin Welsh; supported the housing affordable Charter amendment
Laura Carrol; opposed the housing affordable Charter amendment
Labor Council; supported the housing affordable Charter amendment with certain stipulations

Female speaker; supported the housing affordable Charter amendment
Male speaker; supported the housing affordable Charter amendment
Victoria; supported the housing affordable Charter amendment
Edmond; supported the housing affordable Charter amendment
The President declared the public hearing closed.

ORDERED SUBMITTED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Chu, Elsbernd

NEW BUSINESS

Recommendations of the Budget and Finance Committee

071521 [Public Works Code - cafe tables and chairs permit fee] **Supervisors Chu, Dufty, Mirkarimi**

Ordinance amending Public Works Code Sections 2.1.1 to update the cafe tables and chairs permit fee and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin,

Sandoval

071594 [Grant to support substance abuse and HIV/AIDS related services] **Supervisors Dufty, Ammiano**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant from the Substance Abuse and Mental Health Services Administration and the Center for Substance Abuse Treatment (SAMHSA/CSAT) in the amount of $397,919 for the period of September 30, 2007 through September 29, 2008, and a subcontract with Asian and Pacific Islander Wellness Center for $318,619 for the same time period.

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted Number: 13-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Government Audit and Oversight Committee

071136 [Recreation and Park Department - Camping, Sleeping] **Mayor**

Ordinance amending San Francisco Park Code Section 3.12 to prohibit cooking, and to prohibit modification of park landscape to create a shelter; and amending Section 3.13 to prohibit sleeping in any park from 8:00 p.m. to 8:00 a.m. (Supervisor Daly dissented in Committee.)

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 7 - Ammiano, Chu, Daly, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Maxwell

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 8 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Ammiano, Daly, Sandoval

Recommendations of the Land Use and Economic Development Committee

071441 [Urging banks to work with the City to address the affects of subprime lending and calling on the Federal Reserve to take action at the national level to **Supervisor Ammiano**

end predatory loan practices]

Resolution urging banks to work with the City to address foreclosures and subprime loan practices; calling on the Federal Reserve to prohibit loans at unaffordable rates, end the misuses of stated loans, eliminate prepayment penalties, and designate failure to escrow taxes and insurance in subprime loans as a deceptive practice.

Enacted Number: 4-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071634 [San Francisco Fair Lending Working Group] **Supervisors Maxwell, Ammiano**

Resolution establishing a San Francisco Fair Lending Working Group, comprised of industry, community, and City representatives, to study and recommend responses to the current mortgage foreclosure crisis and to provide an initial progress report to the Board of Supervisors within 45 days of its first meeting.

Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Public Safety Committee

071536 [Access to and retention of community safety camera recordings] **Supervisors Sandoval, Mirkarimi**

Ordinance amending the San Francisco Administrative Code by amending Section 19.3 to allow the Public Defender and other criminal defense attorneys and investigators to obtain community safety camera recordings for particular purposes; and amending Section 19.6 to specify the procedures for the Public Defender and other criminal defense attorneys and investigators to request community safety camera recordings and to require that the Department of Telecommunications and Information Services retain the recordings for at least 30 days but not more than 30 days.

Continued to January 15, 2008

Supervisor Sandoval, seconded by Supervisor Ammiano, moved that this Ordinance be

CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

071553 [Authorizing Tax Collector Attorney to file suit against a responsible relative of recipient of services at City hospitals to recover value of services]

Resolution authorizing Tax Collector Attorney to file suit against a responsible relative to recover value of services rendered at hospital facilities operated by the San Francisco Department of Public Health. (Treasurer-Tax Collector)

Enacted Number: 15-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071565 [Extending the expiration of the legislation establishing the Back Streets Business Advisory Board to December 31, 2008] **Supervisor Maxwell**

Ordinance amending the San Francisco Administrative Code by amending Section 5.265, to retroactively extend the expiration of the legislation establishing the Back Streets Business Advisory Board to December 31, 2008.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

Supervisors Dufty, Maxwell and Sandoval were noted absent at 4:05 p.m.

070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of

approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.
(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)
(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

Continued to January 29, 2008

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, McGoldrick, Mirkarimi, Peskin
Absent: 3 - Dufty, Maxwell, Sandoval

Pursuant to Government Code Section 65009, the *following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.*

070911 [Affirming the Categorical Exemption issued for the 3424 Jackson Street project]

Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to January 29, 2008

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, McGoldrick, Mirkarimi, Peskin
Absent: 3 - Dufty, Maxwell, Sandoval

070912 [Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]

Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to January 29, 2008

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, McGoldrick, Mirkarimi, Peskin
Absent: 3 - Dufty, Maxwell, Sandoval

070913 [Preparation of findings related to the 3424 Jackson Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to January 29, 2008

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, McGoldrick, Mirkarimi, Peskin
Absent: 3 - Dufty, Maxwell, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the homeless
Female speaker showed interest in a Chinese New Year Spectacular presentation
Kathy Dang; showed interest in the Chinese New Year

Spectacular
Male speaker; expressed concern with issues relating to the Zoo incident
James Chaffee; expressed concern with issues relating to the SF Public Library
Eugene Gordon Jr.; expressed concern with issues relating the violation of human rights conditions
Denise Bobla; expressed concern with issues relating to the Zoo incident
Dr. Katz; expressed concern with issues relating to the Zoo incident
Denise Dury; expressed concern with issues relating to health care and Prop. 15
SF Patient's Advocate: expressed concern with issues relating to health care and Prop. 215
Female speaker; expressed concern with issues relating to health care and sleeping bans and critical SF issues
John di Donna; expressed concern with issues relating to houses and housing and mortgage issues
Male speaker; showed support for medical marijuana
Owen Duffy; expressed concern with issues relating to the Zoo incident
Julie Ruffers; expressed concern with issues relating to the Zoo incident
Edmond; support of medical marijuana

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

071680 [Urging the California State Assembly to pass Assembly Bill 23] **Supervisors Dufty, Ammiano, Peskin, Mirkarimi, Sandoval**

Resolution urging the California State Assembly to pass Assembly Bill 23.

Enacted Number: 5-08

ADOPTED

071682 [Approval of an additional 120-day extension for Planning Commission review in order to allow the Planning Department to meet the goals of this legislation through the Eastern Neighborhoods Rezoning] **Supervisor Daly**

Resolution extending by an additional 120 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend the Planning Code by repealing Section 825.1 and amend Planning Code Sections 135, 309.1, 318.3, 809, 825 and 827 to apply many of the provisions of Rincon Hill

Downtown Mixed Use Zoning District to all Downtown Residential Districts and to add design requirements to enhance the pedestrian environment.

Enacted Number: 3-08

ADOPTED

071683 [Approval of a 90 day extension for Planning Commission review for Planning Code Amendment of C-3 Development Impact Fees]

Supervisor Daly

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would require the City Controller to study the impacts of new development in the C-3 zoning districts, requiring the Board of Supervisors to amend City codes to establish new development impact fees and/or to change the amounts of existing fees for development in the C-3 zoning districts, depending on the results of the study, and making environmental findings, General Plan findings, and other required findings.

Enacted Number: 2-08

ADOPTED

080007 [Final Map - 3520 20th Street]

Motion approving Final Map 4263, a 14 Unit Residential and 3 Unit Commercial Mixed-Use Condominium Project, located at 3520 20th Street being a subdivision of Lot 120 in Assessors Block No. 3596 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,279; District 9.)

Enacted Number: M08-1

APPROVED

080008 [Final Map - 3350 20th Street]

Motion approving Final Map 4398, a 6 Residential Unit and 2 Commercial Unit Mixed - Use Condominium Project, located at 3350 20th Street being a subdivision of Lot 015 in Assessors Block No. 3594 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,297; District 9.)

Enacted Number: M08-2

APPROVED

080009 [Final Map - 300 Laguna Honda Boulevard]

Motion approving Final Map 2712, a 22 Unit Residential Condominium Project, located at 300 Laguna Honda Boulevard being a subdivision of Lot

001 in Assessors Block No. 2864 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order 177,301; District 7.)

Enacted Number: M08-3

APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, McGoldrick, Mirkarimi, Peskin
Absent: 3 - Dufty, Maxwell, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

080035 [Disclosure of Votes Cast in Ranked-Choice Elections] **Supervisor Ammiano**

Ordinance amending the San Francisco Municipal Elections Code by adding Section 415, to make publicly available a report of all votes cast in ranked-choice elections.

1/8/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/7/2008.

080039 **[Landmark Tree Designation of Blue Elderberry located in the Bernal Heights Natural Area at Folsom Street and Bernal Heights Boulevard]** **Supervisor Ammiano**

Ordinance designating the Blue Elderberry (Sambucus mexicana) in the Bernal Heights Natural Area (Assessor's Block 5548, Lot 002) at Folsom Street and Bernal Heights Boulevard as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080040 **[Landmark Tree Designation of Moreton Bay Fig at 3555 Cesar Chavez Street, facing Valencia Street]** **Supervisor Ammiano**

Ordinance designating the Moreton Bay Fig (Ficus macrophylla) at 3555 Cesar Chavez Street (Assessor's Block 6575, Lot 002), facing Valencia Street as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080041 [Landmark Tree Designation of Flowering Ash tree no. 1 at 500 Cortland Avenue] **Supervisor Ammiano**

Ordinance designating the Flowering Ash (Fraxinus ornus) tree no. 1 at 500 Cortland Avenue, in front of the Bernal Heights Library, which flanks the eastern side of the main doors to the library on Cortland Avenue (Assessor's Block 5707, Lot 027) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080042 [Landmark Tree Designation of Flowering Ash tree no. 2 at 500 Cortland Avenue] **Supervisor Ammiano**

Ordinance designating the Flowering Ash (Fraxinus ornus) tree no. 2 at 500 Cortland Avenue, in front of the Bernal Heights Library, which flanks the western side of the main doors to the library on Cortland Avenue (Assessor's Block 5707, Lot 027) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080063 [Green Building Requirements] Mayor

Ordinance amending the San Francisco Building Code by adding Chapter 13C to impose green building requirements on newly constructed residential buildings, newly constructed commercial buildings that are 5,000 gross square feet or more, alterations to new or existing commercial interiors that are 25,000 gross square feet or more in area, and major alterations to existing buildings that are 25,000 gross square feet or more in area, where interior finishes are removed and significant upgrades to structural and mechanical, electrical and/or plumbing systems are proposed; exempting City projects, which are covered by Chapter 7 of the San Francisco Environment Code; providing that the requirements become effective 90 days after enactment of the ordinance and increase over the following five-year period; adopting findings, including environmental findings and findings required by California Health and Safety Code Section 17958.5.

Economic Impact

1/8/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/7/2008.

061438 [Public Works Code - Sidewalk flower-vending stands] Supervisor McGoldrick

Ordinance amending Public Works Code Sections 156, 157, 159, 160, 161, 162, and 163 to impose a two year-limit on sidewalk flower-vending stand permits and establish a lottery process for subsequent permit issuance for such stands, to clarify application requirements, to add operating conditions for such stands and establish an abandonment period, to delete provisions regarding permit assignment to family members of the permittee, to change the criminal penalty for violations from a misdemeanor to an infraction, and to establish administrative penalties for violations.

10/17/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 11/16/2006.

10/26/06, REFERRED TO DEPARTMENT. Referred to Small Business Commission for review and recommendation.

11/17/06, TRANSFERRED to Land Use and Economic Development Committee.

5/4/07, FILED PURSUANT TO RULE 5.37.

1/8/08, REACTIVATED PURSUANT TO RULE 5.23. Supervisor McGoldrick requested this matter be reactivated, to be heard at the January 28, 2008 Land Use Committee meeting.

1/8/08, ASSIGNED to Land Use and Economic Development Committee.

071661	**[Menu Labeling At Chain Restaurants]**	**Supervisors Ammiano, Dufty, Mirkarimi, McGoldrick, Maxwell**

Ordinance amending Sections 468 through 468.8 of the San Francisco Health Code to (1) require chain restaurants to provide, per standard menu item, the total number of calories on menu boards and food tags, and the total amount of calories, saturated fat, carbohydrates and sodium on menus; and (2) revise existing requirements for providing nutritional information on alternative disclosure media.

12/11/07, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 1/10/2008.

1/8/08, ASSIGNED to City Operations and Neighborhood Services Committee.

1/8/08, SUBSTITUTED. Supervisor Ammiano submitted a substiture ordinance bearing the same title.

Resolutions

080037 [Grant to support vocational services to mentally ill individuals] **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services to accept and expend retroactively a grant from the California Department of Rehabilitation in the total amount of $3,310,497, with a cooperative CBHS match of $895,980, for a budget total of $4,206,477, to provide vocational rehabilitation services to clients through a cooperative contract agreement for the period of July 1, 2007 through June 30, 2010, waiving indirect costs.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080038 **[Funding modification to support HIV vaccine and prevention research]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a subcontract modification from the Public Health Foundation Enterprises, Inc. (PHFE) to support the research of the San Francisco Vaccine and Prevention Unit (SFVPU) in the amount of $325,239; for the period of January 1, 2007 through December 31, 2007.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080043 **[Approving and officially adopting the recommendations of the Healthcare Action Team regarding the discharge of homeless patients in San Francisco]** **Supervisors Ammiano, Daly, Mirkarimi**

Resolution endorsing the Healthcare Action Team's recommendations for procedures on homeless patients hospital discharge, including more respite beds, a streamlined discharge process, distribution of information sheets, utilization of transitional care programs, expansion of the Ombudsman office and no discharges on Fridays.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080044 [Grant funding for a drug court in the San Francisco Dependency Court] **Supervisor Chu**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant increase in the amount of $287,177, with a local general fund match of $28,718, for a budget total of $315,895, from the California Department of Alcohol and Drug Programs' (DADP) Comprehensive Drug Court Implementation (CDCI) to provide funding for a drug court in the San Francisco Dependency Court; for the period of July 1, 2007 through June 30, 2008.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080045 [Grant funds to improve and expand substance abuse treatment services] **Supervisor Chu**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant from the California Department of Alcohol and Drug Programs' (DADP) Comprehensive Drug Court Implementation (CDCI) in the total amount of $713,132, with a local general fund match of $142,627, for a budget total of

$855,759 to improve and expand substance abuse treatment services for adult felon drug court clients; for the period of January 1, 2007 through December 31, 2008.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080046 [Accept and Expend CALFED Water Use Efficiency Grant Funds] **Supervisor Chu**

Resolution authorizing the San Francisco Public Utilities Commission to retroactively accept and expend a CALFED Water Use Efficiency Grant in the amount of $200,000 through the United States Bureau of Reclamation.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080047 [Continuum of Care: Five-Year Strategic Plan of the San Francisco Local Homeless Coordinating Board 2007-2012] **Supervisor Daly**

Resolution declaring the policy that the Five-Year Strategic Plan of the San Francisco Local Homeless Board titled "Toward Ending Homelessness in San Francisco: A Five Year Strategic Plan of the San Francisco Local Homeless Coordinating Board" is the City and County of San Francisco's official homeless policy document and governs the development of an integrated, effective and coordinated system of housing, health care, employment and support services to end homelessness.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080048	**[Accept-Expend Federal Pass Through Grant - Department of Emergency Management, Division of Emergency Services]**	**Supervisor Elsbernd**

Resolution authorizing the Department of Emergency Management, Division of Emergency Services, to accept and expend a Federal pass through grant in the amount of $950,000 from the Governor's Office of Homeland Security for the Buffer Zone Protection Program, and to enter into an MOU with Bay Area Rapid Transit (BART) to fund critical infrastructure needs.

1/8/08, RECEIVED AND ASSIGNED to Public Safety Committee.

080049	**[Accept and Expend FY 07 Urban Areas Security Initiative Grant and Amend Annual Salary Ordinance, FY 2007-2008]**	**Supervisor Elsbernd**

Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco as the primary grantee for the combined Bay Area Urban Area ("Super UASI" or "SUASI") region and as the fiscal agent for the SUASI Approval Authority, to retroactively accept and expend an Urban Areas Security Initiative ("UASI") grant in the amount of $27,304,000 from the United

States Department of Homeland Security, through the California Governor's Office of Homeland Security; amending Ordinance No. 175-07 (Annual Salary Ordinance, FY 2007-2008) to reflect the extension of eight grant-funded positions at the following Departments: Emergency Management; Police; Fire; Health; and Sheriff; and amending Ordinance No. 175-07 (Annual Salary Ordinance, FY 2007-2008) to reflect the addition of six grant-funded positions at the Department of Emergency Management.

1/8/08, RECEIVED AND ASSIGNED to Public Safety Committee.

080050 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice] **Supervisor Elsbernd**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of $139,366 from the California Governor's Office of Emergency Services (OES) Anti-Drug Abuse Enforcement Program (ADA) for the purpose of reducing drug related crime through a coordinated approach.

1/8/08, RECEIVED AND ASSIGNED to Public Safety Committee.

080058 [Renew Joint Power and Revolving Fund Contract with the State] **Supervisor Elsbernd**

Resolution authorizing the Department of the District Attorney to enter into a Joint Power and Revolving Fund Contract with the California Victim Compensation and Government Claims Board to: (1) contract for, accept and expend up to $1,356,678 allocated from the California Victim Compensation and Government Claims Board for the assistance of victims and witnesses of crime for the period of July 1, 2007 through June 30, 2009; and (2) renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving loan fund in the amount of $75,000 to be used to pay for verified funeral/burial expenses and emergency relocation for victims of domestic violence and sexual assault for an additional two years from July 1, 2007 through June 30, 2009.

1/8/08, RECEIVED AND ASSIGNED to Public Safety Committee.

080059 [Accept-Expend Federal Grant - Airport Commission] **Supervisor Elsbernd**

Resolution authorizing the Airport Commission to enter into an Other Transaction Agreement (OTA) with the Department of Homeland Security/Transportation Security Administration (TSA) to accept and expend federal funds for the installation of in-line explosive detection baggage system improvements in Terminal One of the San Francisco International Airport for an approximate amount of 75% of the project cost, not to exceed

$2,300,000.

1/8/08, RECEIVED AND ASSIGNED to Public Safety Committee.

080060 [Requesting that the SFPUC Study Maritime Alternatives to land-based siting of City-owned Combustion Turbines] **Supervisor Mirkarimi**

Resolution requesting that the San Francisco Public Utilities Commission Study Maritime Alternatives to land-based siting of City-Owned Combustion Turbines.

1/8/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080061 [San Francisco Zoological Gardens-City Oversight] **Supervisor Mirkarimi**

Resolution urging the Recreation and Park Department to review the current lease management agreement with the San Francisco Zoological Society to determine whether, and how, the City and the Zoo Society could amend the lease management agreement to clarify Recreation and Park Commission's ultimate authority over the Zoo.

1/8/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080064 [Confirming the appointment of Malcolm Heinicke to the Municipal Transportation Agency **Mayor**

Board of Directors, term ending March 1, 2008]

Motion confirming the appointment of Malcolm Heinicke to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2008.

1/8/08, RECEIVED AND ASSIGNED to Rules Committee.

080065 [Confirming the appointment of Jerry Lee to the Municipal Transportation Agency Board of Directors, term ending March 1, 2011] **Mayor**

Motion confirming the appointment of Jerry Lee to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2011.

1/8/08, RECEIVED AND ASSIGNED to Rules Committee.

080066 [Confirming the appointment of Bruce Oka to the Municipal Transportation Agency Board of Directors, term ending March 1, 2008] **Mayor**

Motion confirming the appointment of Bruce Oka to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2008.

1/8/08, RECEIVED AND ASSIGNED to Rules Committee.

080067 [Commending Margaret Cooch upon her retirement] **Supervisors Mirkarimi, Ammiano, Daly**

Resolution commending Margaret Cooch upon her retirement as Executive Director of Planning for Elders and honoring her life-long service to the broader communities of senior and people with disabilities.

1/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080068 [Urging San Franciscans not to purchase eggs produced by caged hens] **Supervisor Peskin**

Resolution urging San Franciscans not to purchase eggs produced by caged hens and opposing the factory farming practice of confining egg-laying hens in battery cages.

1/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080070 [San Francisco joins with others to form the creation of California Green Cities] **Mayor**

Resolution committing San Francisco to join other California cities in an effort to promote local, regional, and national sustainability measures, called California Green Cities.

1/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080071 [Funds to support risk reduction project] **Supervisors Dufty, Ammiano**

Resolution authorizing the San Francisco Department of Public Health (DPH), HIV Research Section to enter retroactively into an agreement in the amount of $48,444 with Public Health Foundation Enterprises (PHFE), the primary contractor, to participate in a project regarding risk reduction counseling; for the period of August 1, 2007 through July 31, 2008.

1/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080072 [Approval of a 30 day extension of Planning Commission review - Union Street Neighborhood Commercial District] **Supervisor Alioto-Pier**

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Planning Code Sections 725.1 and 725.42 of the Union Street Neighborhood Commercial District to provide for a limited number of new full service restaurants that satisfy specific requirements and obtain conditional use authorization; and making environmental findings of consistence with the

General Plan and priority policies of Planning Code Section 101.1.

1/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080073 [Urging the California State University system to develop uniform hiring policies to ensure workforce diversity] **Supervisor Sandoval**

Resolution urging the California State University system to develop uniform hiring policies to ensure workforce diversity.

1/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080074 [Approval of a second 90 day extension for Planning Commission review - adoption or expenditure of neighborhood impact fees] **Supervisor Alioto-Pier**

Resolution extending by an additional 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would add Planning Code Section 320, 320.1, 320.2 and 320.3 establishing a process to permit the adoption or expenditure of neighborhood impact fees as defined in the ordinance only after the Planning Department has conducted or caused to be conducted an impact study supporting the imposition of such a fee and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

1/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

080026 [Hearing - Mayor's budget instructions for the FY2008-09 budget] Supervisor Peskin

Hearing on the Mayor's budget instructions for the Fiscal Year 2008-09 budget.

1/8/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080029 [Problems faced by those living with HIV/AIDS] Supervisor Ammiano

Hearing request on the problems faced by those living with HIV/AIDS as they get older.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080030 [San Francisco's homicide rate] Supervisor Ammiano

Hearing on why San Francisco's homicide rate is higher than that of Los Angeles.

1/8/08, RECEIVED AND ASSIGNED to Public Safety Committee.

080031 [Zoo Incident] **Supervisors Elsbernd, Alioto-Pier, Ammiano**

Hearing to consider the Zoo incident on Christmas Day.

1/8/08, RECEIVED AND ASSIGNED to Public Safety Committee.

080032 [Pedestrian Safety] **Supervisors Chu, Dufty, Elsbernd**

Hearing with the Municipal Transportation Agency, Department of Public Health, and Police Department before the Public Safety Committee regarding pedestrian safety issues. The hearing will include data on pedestrian safety incidents in the last several years, locations with an especially high incident rate, and current as well as potential future efforts to address pedestrian safety issues.

1/8/08, RECEIVED AND ASSIGNED to Public Safety Committee.

080033 [Bayview Waterfront Development Project] **Supervisor Maxwell**

Hearing on the status of the Bayview Waterfront Development Project. Informational hearing, which will include presentations by the Mayor's Office staff and project sponsors, as to the status of the joint development program for the Candlestick Point and Hunters Point Shipyard areas.

1/8/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. Sponsor requests that the item be scheduled at the Land Use Committee meeting of January 14, 2008.

080034 [Worker's Comp Clinic at SF General Hospital] **Supervisor Mirkarimi**

Hearing regarding the closure of the Worker's Comp Clinic at San Francisco General Hospital.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motions

080036 [Adopting the Planning Department's report on File 071534 - Interim Moratorium on Institutional Uses in the Western SoMa] **Supervisors Peskin, Sandoval, Maxwell, Ammiano**

Motion adopting the Planning Department's report on File No. 071534 - an interim zoning moratorium to prohibit the establishment of new institutional uses in the Western SoMa Planning Area Special Use District for 45 Days.

1/8/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080062 [Regulating the permitted locations of new liquor stores and their conditions of operation] **Supervisors Sandoval, Alioto-Pier**

Motion ordering submitted to the voters an Ordinance authorizing amendment of the Planning Code by adding Section 226.5 to impose a distance requirement of 1,000 feet or more between new off-sale liquor stores and existing liquor stores, schools, public libraries and recreation centers and establishing conditions for operation of liquor stores at an election to be held on June 3, 2008.

Economic Impact

1/8/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/7/2008.

080069 [Concurring in January 4, 2008 Proclamation of Local Emergency] **Mayor, Supervisor Peskin**

Motion concurring in the Mayor's January 4, 2008 Proclamation of Local Emergency, and in the actions taken to meet the emergency.

1/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

080002 [Settlement of Lawsuit - Daniel

Worrell]

Ordinance authorizing settlement of the lawsuit filed by Daniel Worrell against the City and County of San Francisco for $585,000; the lawsuit was filed on August 25, 2006 in San Francisco Superior, Case No. 455-569; entitled Daniel Worrell v. City and County of San Francisco, et al. (City Attorney)

12/7/07, RECEIVED AND ASSIGNED to Rules Committee.

080015 [Settlement of Lawsuit - Francis Kelly et al.]

Ordinance authorizing the settlement of a lawsuit filed by Francis Kelly et al., acting for themselves and others similarly situated, against the City and County of San Francisco for $755,000.00 plus accrued interest; the lawsuit was filed on February 25, 2005, in the United States District Court for the Northern District, Case No. C05-1287, entitled Francis Kelly, et al., v. City and County of San Francisco, et al. (City Attorney)

12/20/07, RECEIVED AND ASSIGNED to Rules Committee.

080019 [Implementing the Controller's Whistleblower Program] **Supervisor Mirkarimi**

Ordinance amending the Campaign and Governmental Conduct Code by amending Sections 4.100 and 4.115 and adding Sections 4.107 and 4.123 to implement the provisions of Charter

Appendix F1.107 for the operation of the Controller's Whistleblower Program, to protect the confidentiality of whistleblowers and the investigation of complaints, and to provide protection from retaliation, and repealing Section 4.125 and adding a new Section 4.125 to prohibit the furnishing of false information in, and require cooperation with, whistleblower investigations conducted by the Controller or any other officer or department. (Controller)
12/26/07, RECEIVED AND ASSIGNED to Rules Committee. (Referred to the Ethics Commission for comment and recommendation.)

PROPOSED RESOLUTION

080018 [Public Auction - Sell certain parcels of tax-defaulted real property]
Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Treasurer-Tax Collector)
12/26/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Inquiring into any plans, either current of

contemplated, for the development of that portion of Fulton Street between Larkin St. and Hyde St.
From: Supervisor McGoldrick
To: Budget Analyst (Harvey Rose)
To: Mayor's Budget Director (Nani Coloretti)
Requesting/Inquiring: Requesting the Budget Analyst to give a thorough analysis of the TOTAL budgetary impact of all of the Mayor's staff changes announced on Friday, January 4 (including the eight previous changes), including salary increases/decreases, severance packages etc. Also, please include the approximate 1600 jobs the Mayor has included in the hiring freeze, to see how many of those jobs are actually active and effective, as well as the public safety and health positions affected by the directive.
From: Supervisor Elsbernd
To: Controller
To: Retirement System
Requesting/Inquiring: Requesting the Controller and the Retirement System to analyze the recommendations in the recently issued Public Employee Post-Employment Benefits Commission report and determine which of the relevant recommendations the City has implemented, and which could be implemented.
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing the graffiti from mailboxes at the following locations:
Mailboxes

- *Northwest corner of Kirkham and 6th Avenue*
- *Southwest corner of 10th Avenue and Judah*

- *Northeast corner of 12th Avenue and Judah*
- *Southwest corner of 17th Avenue and Irving*
- *Southwest corner of 16th Avenue and Irving*
- *Northeast corner of 11th Avenue and Irving*
- *Southeast corner of 19th Avenue and Lincoln*
- *Southeast corner of 15th Avenue and Lincoln*
- *Southwest corner of Funston and Lincoln*
- *Southeast corner of 10th Avenue and Lincoln*
- *Southwest corner of Hayes and Laguna*
  Garbage Cans
- *Northwest corner 18th Avenue and Irving*
- *Southeast corner of 19th Avenue and Lincoln*
- *Northeast corner of Scott and Turk*
  From: Supervisor Mirkarimi
  To: District Attorney
  Requesting/Inquiring: Requesting the District Attorney to respond to the following questions:

1. *Under what conditions does your office prosecute infractions against homeless persons? Does the decision to prosecute depend on whether or not a homeless person has counsel or, if represented, by whom the representation is provided?*
2. *If the rationale of and justification for specifically prosecuting infractions against homeless is to provide social services, how the District Attorney's office help defendants provide such services or otherwise get housing so that they do not become recidivists?*
3. *How much does it cost the District Attorney's office to prosecute quality-of-life infraction cases and are these prosecutions acting as a deterrent resulting in a declining number of citations?*

4. *How do these prosecutions improve public safety?*
5. *What meetings have you had with the Mayor's Office, or other City departments about this prosecution? Please list the date of each meeting and who was present. Please provide any notes made in these meetings.*
6. *It has come to my attention that there have been wholesale dismissals of quality of life citations. Please define "wholesale dismissal" During what period was there "wholesale dismissal" of citations given to homeless people? How many tickets were given? When were they dismissed? Why were they dismissed? What is the process by which tickets are dismissed? Has that process or policy of dismissal changed now that Assistant District Attorneys have been assigned to prosecute these cases?*
7. *How many of the quality of life citations issued since July 2007were dismissed? How many people were offered and accepted services? What services? Were any of these new services or programs residents would otherwise not have been able to access? Were others denied access as a result of offering services exclusively to Golden Gate Park residents? How many refused services? How many accepted? How many tickets?*
8. *Was anyone, for any reason, incarcerated as a result of the Golden Gate Park sweeps? What is the current status of those cases? How many were charged? How many have been released?*

   From: Supervisor Mirkarimi

   To: Chief of Police

   Requesting/Inquiring: Requesting the Chief of Police to respond to the following questions:

1. *How citations for camping have been issued on a monthly*

basis since July, How many people were offered and accepted services in lieu of receiving a citation? What services were they offered? How many refused services and were cited?

2. *Were officers assigned to Golden Gate Park homeless outreach diverted from regular patrols elsewhere? How many? From which assignments were they diverted?*
3. *Are social workers present when citations are issued? How many people got both a social service referral and a ticket?*
4. *Are officers other than those trained to do homeless used to interact with homeless people in Golden Gate Park? If so, Why are untrained officers assigned this duty?*
5. *What is the total cost in police time for the Golden Gate Park sweeps, including overtime?*

From: Supervisor Mirkarimi
To: Sheriff
Requesting/Inquiring: Requesting the Sheriff to respond to the following questions:

1. *How many people in jail have been identified as mentally ill?*
2. *How many were homeless when they were brought to the jail?*
3. *Of the people processed through behavioral health court, how long has each individual been waiting for treatment?*
4. *What is the ratio of psychiatric staff to mentally ill clients in the jail?*
5. *What is the screening process for jail psychiatric services staff?*
6. *What is the current capacity of San Francisco jails? How often are they full or over capacity?*
7. *Are inmates under the care of psychiatric services released early to alleviate overcrowding?*

From: Supervisor Mirkarimi
To: Superior Court
Requesting/Inquiring: Requesting the Superior Court to

respond to the following questions:

1. *What meetings have court staff had with other city departments regarding infraction citations given to homeless people? Please provide a list of people attending any such meeting, the dates of such meetings, and any handwritten or typed notes, e-mail from such meetings.*
2. *How many Quality of Life Citations were adjudicated in 2007? How many have been dismissed? Has a practice of 'wholesale dismissal' been used for any of these citations?*

From: Supervisor Mirkarimi
To: Director, Department of Public Health
Requesting/Inquiring: Requesting the Department of Public Health to respond to the following questions:

1. *From which neighborhoods have HO Team been drawn to conduct the "sweeps" in Golden Gate Park?*
2. *How many referrals were given? How many of the people who received referrals had additional contact from a HO Team member. Where were people referred?*
3. *How many supportive housing beds were available?*
4. *How many treatment beds were available?*
5. *How long is the wait list for supportive housing beds for the homeless people that want them?*
6. *How does the HO Team decide which people receive stabilization beds? Where were stabilization beds drawn from? Did this decrease access for non-Golden Gate park HO Team clients?*

From: Supervisor Mirkarimi
To: Director, Human Services Agency
Requesting/Inquiring: Requesting the Human Services Agency to respond to the following questions.

1. *During the most recent Golden Gate Park sweeps, how many*

people were offered supportive housing? How many were turned down?

2. *How does your agency decide who gets the beds that are available? Is there an income requirement for stabilization beds? If so, what is it?*
3. *How many people were referred to shelter during the recent Golden Gate Park sweeps? If people from were referred to shelter, were they provided with transportation? If so, what transportation?*
4. *How are shelter beds accessed? Are there any shelter beds that are not made available to resource centers to give to clients?*
5. *What is the justification for such stringent access to shelter beds through the resource centers when there are 237 vacancies per day?*
6. *What was the emergency that required the reopening of 150 Otis the day after it was closed?*
7. *From how many sites in Golden Gate Park was unattended property was confiscated? How many bags of property were put into storage? Where were they put into storage?*
8. *From how many sites in Golden Gate Park was attended property confiscated?*
9. *What notice was given to people whose property was confiscated? Please provide a copy of each notice.*
10. *How many people are turned away from resource centers without receiving a shelter bed? If this information isn't tracked, why not?*

From: Supervisor Mirkarimi
To: Public Defender's Office
Requesting/Inquiring: Requesting the Public Defender's Office to respond to the following questions:

1. *Did you represent anyone who was arrested in Golden Gate Park between August 1, 2007 and the present? How many? What is the current status of those cases? How many people are still incarcerated?*
   From: Supervisor Mirkarimi
   To: Director, Department of Public Works
   Requesting/Inquiring: Requesting the Department of Public Works to respond to the following questions:

1. *From which neighborhoods have Department of Public Works personnel and equipment been drawn to assist the SFPD in conducting the sweeps and confiscation of property of homeless persons in Golden Gate Park?*
   From: Supervisor Mirkarimi
   To: Director, Department of Parking and Traffic
   Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from the following DPT/MTA property:
   Signs

- *"No Pedestrian Crossing" sign at the southwest corner of Fell and Gough*
- *"No Pedestrian Crossing" sign at the southwest corner of 2nd Avenue and Lincoln.*
- *"Stay to the Right" sign on the eastbound median at Arguello and Lincoln*
  Parking Meters
- *Gough between Grove and Fell*
- *Fillmore between Post and Geary*
- *Irving between 17th Avenue and 19th Avenue*
  Pedestrian Crossing Signal
- *All corner of 4th Avenue and Lincoln*
  Stop Signs

- *Northeast corner of Scott and McAllister*
  From: Supervisor Mirkarimi
  To: Director, Department of Parking and Traffic
  Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from parking sings and poles at the following locations:
- *Belvedere between 17th Street and Parnassus*
- *Stanyan between Alma and Parnassus*
- *Woodland between Parnassus and Willard*
- *Parnassus between Stanyan and Hillpoint*
- *9th Avenue between Kirkham and Lincoln*
- *8th Avenue between Kirkham and Judah*
- *5th Avenue between Irving and Hugo*
- *Arguello between Frederick and Parnassus*
- *Fell between Webster and Divisadero*
- *Scott between Fell and Golden Gate*
- *Pierce between O'Farrell and Turk*
- *Hayes between Pierce and Scott*
- *Hayes between Webster and Gough*
- *Speed limit sign at the westbound intersection of 14th Avenue and Lincoln*
  From: Supervisor Mirkarimi
  To: Director, Department of Parking and Traffic
  Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from the following locations:
  Light Switch Boxes
- *Judah between 12th Avenue and 13th Avenue*
- *Northwest corner of Judah and Funston*
- *Southeast corner of Funston and Lincoln*

- *Northeast corner of Fillmore and Geary*
  From: Supervisor Mirkarimi
  To: Director, Department of Parking and Traffic
  Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of repair or replacing damaged residential parking signs:
- *1311 – 14th Avenue (Bent Pole)*
- *1261 – 5th Avenue (Replace Parking Signs)*
  From: Supervisor Mirkarimi
  To: Director, Department of Public Works
  Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:
- *Northeast corner of Judah and 9th Avenue (Chronicle)*
- *Southwest corner of Scott and Hayes (Chronicle)*
- *Southeast corner of 9th Avenue and Lincoln (Advertiser)*
  From: Supervisor Mirkarimi
  To: Director, Department of Public Works
  Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:
- *Grove Street between Laguna and Gough (Multiple pot holes)*
- *Intersection of Parnassus and Stanyan*
- *850 Judah*
- *Intersection of California and Steiner*
  From: Supervisor Mirkarimi
  To: Director, Department of Public Works
  Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:
- *485 Scott*

- *500 Kirkham*
- *1400 9th Avenue*
- *1407 9th Avenue*
- *1414 9th Avenue*
- *1211 Arguello*
- *921-923 Oak*
- *929 Oak*
- *349-357 Pierce*
- *512-522 Laguna*

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of trimming the tree covering the "STOP" sign at the northwest corner of 8th Avenue and Kirkham.
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:
Metal

- *Northeast corner of Irving and 15th Avenue*
- *All poles on Webster between Grove and Fulton*
- *All poles on Fulton between Fillmore and Webster*

Wooden

- *1217 18th Avenue*
- *Southeast corner of 19th and Lincoln (Box on pole)*
- *Southwest corner of 14th Avenue and Lincoln and Utility Box next to pole*

From: Supervisor Mirkarimi

To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property at the following locations:
Emergency Boxes

- *Northeast corner of Grove and Laguna*
- *Southeast corner of Funston and Lincoln*
- *Southeast corner of Frederick and Cole*

Fire Hydrant

- *Southeast corner of Irving and 18th Avenue*

From: Supervisor Mirkarimi
To: Director, Department of Public Works
To: Superintendent, SF Unified School District
Requesting/Inquiring: Requesting the SF Unified School District and the Department of Public Works to report on the following:

- *Of removing graffiti from the wall of Ida B. Wells on Fell between Pierce and Steiner.*
- *Of removing graffiti from the back gate of Jefferson Elementary on 19th Avenue between Judah and Irving.*

In Memoriams

Nora Clifford - Supervisor Elsbernd
Allan Lemar Morrison - Supervisor Elsbernd
William M. Duffy - Supervisors Elsbernd and Dufty
Carlos Sousa, Jr. - Entire Board

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:22 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on February 5, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383For information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.
The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415)

923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.
In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance
Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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January 15, 2008

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, January 15, 2008

2:00 PM

Legislative Chamber - Second Floor

Regular Agenda

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*None.*
Members Absent:	*None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll all Supervisors were noted present. There was a quorum present.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board of the Board of Supervisors informed the Board members that Edmund Jew has resigned as Supervisor and Mayor Gavin Newsom has appointed Carmen Chu as the Supervisor for District 4.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

071521	**[Public Works Code - cafe tables and chairs permit fee]**	**Supervisors Chu, Dufty, Mirkarimi**

Ordinance amending Public Works Code Sections 2.1.1 to update the cafe tables and chairs permit fee and making environmental findings.

Enacted Number: 7-08

FINALLY PASSED

Recommendation of the Rules Committee

071565	**[Extending the expiration of the legislation establishing the Back Streets Business Advisory Board to December 31, 2008]**	**Supervisor Maxwell**

Ordinance amending the San Francisco Administrative Code by amending Section 5.265, to retroactively extend the expiration of the legislation establishing the Back Streets Business Advisory Board to December 31, 2008.

Enacted Number: 8-08

FINALLY PASSED

071575 [Settlement of Lawsuit - Trustees of The J. David Gladstone Institutes, et al., v. CCSF]

Ordinance authorizing settlement of the lawsuit filed by Trustees of The J. David Gladstone Institutes against the City and County of San Francisco for the payment of $420,000 to the City and County of San Francisco; the lawsuit was filed on February 13, 2007 in San Francisco Superior Court, Case No. 460-409; entitled Trustees of The J. David Gladstone Institutes, et al., v. City and County of San Francisco, et al; other material terms of the settlement are that the Lease will be amended to terminate The J. David Gladstone Institutes as a tenant of San Francisco General Hospital Building 40. (City Attorney)

Enacted Number: 9-08

FINALLY PASSED

071612 [Settlement of Eminent Domain Lawsuit Against the City and County of San Francisco]

Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for $1,088,000.00; the lawsuit was filed on June 6, 2006 in San Francisco

Superior Court, Case No. CGC-06-452985; entitled Pacific Gas & Electric Company v. City and County of San Francisco; other material terms of said settlement are set forth in the Stipulation for Entry of Judgment in Condemnation and the Judgment in Condemnation, contained in Board of Supervisors File No. 071612. (City Attorney)

Enacted Number: 10-08

FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

071136 [Recreation and Park Department - Camping, Sleeping] **Mayor**

Ordinance amending San Francisco Park Code Section 3.12 to prohibit cooking, and to prohibit modification of park landscape to create a shelter; and amending Section 3.13 to prohibit sleeping in any park from 8:00 p.m. to 8:00 a.m. (Supervisor Daly dissented in Committee.)

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Chu

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 2 - Ammiano, Daly

Recommendation of the Public Safety Committee

071536 [Access to and retention of community safety camera recordings] **Supervisors Sandoval, Mirkarimi**

Ordinance amending the San Francisco Administrative Code by amending Section 19.3 to allow the Public Defender and other criminal defense attorneys and investigators to obtain community safety camera recordings for particular purposes; and amending Section 19.6 to specify the procedures for the Public Defender and other criminal defense attorneys and investigators to request community safety camera recordings and to require that the Department of Telecommunications and Information Services retain the recordings for at least 30 days but not more than 30 days.

Continued to January 29, 2008

Supervisor Sandoval, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Board of Supervisors Sitting as a Committee of the Whole

061379 [Hearing - Acquisition of Property By Eminent Domain-Islais Creek MUNI Maintenance Facility]

Hearing of persons interested in or objecting to proposed resolution authorizing the acquisition of 2.8 acres of property adjacent to City property at

Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

The President inquired as to whether any member of the public wished to address the Board members. There were none.
The President declared the public hearing closed.
FILED.

Committee of the Whole Adjourn and Report Without Recommendation

061377 **[To acquire property by Eminent Domain-Islais Creek MUNI Maintenance Facility]** **Supervisor Maxwell**

Resolution authorizing acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a

portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.
(Fiscal impact.)

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Resolution be REFERRED to the Land Use and Economic Development Committee. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

071579 [Approval of Modification No. 1 of Lease and Operating Agreement L-99-0321 with Cathay Pacific Airways, Ltd., at San Francisco International

Airport]

Resolution approving and authorizing the execution of Modification No. 1 of Lease and Operating Agreement L-99-0321 with Cathay Pacific Airways, Ltd., for office space in the International Terminal of San Francisco International Airport. (Airport Commission)

Enacted Number: 17-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071580 [Approval of Lease Agreement L-07-0255 with Singapore Airlines Cargo Pte., Ltd. at San Francisco International Airport]

Resolution approving and authorizing the execution of Lease Agreement L-07-0255 with Singapore Airlines Cargo Pte., Ltd. for cargo warehouse and office space in Building 710 on Plot 12 of San Francisco International Airport. (Airport Commission)

Enacted Number: 18-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071676 **[Grant to support the Shape Up BVHP program]** **Supervisor Peskin**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a two-year grant from Kaiser Permanente in the amount of $150,000 for the project entitled "Shape Up BVHP," for the period of October 1, 2007 through September 30, 2009, which includes a subcontract with the SF Study Center for $130,610 for the same time period.

Enacted Number: 16-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Government Audit and Oversight Committee Without Recommendation

071371 **[Taxicab gate cap; ratifying previous gate fees; gate surcharge for "clean air vehicles"; taxi fleet greenhouse gas emissions]** **Supervisor Alioto-Pier**

Ordinance amending the San Francisco Police Code by adding Section 1137.1, to: increase the gate fee that may be charged by "full-service" taxicab companies, as defined in the ordinance, from $91.50, as authorized by Board Resolution No. 605-06, to $110; provide for annual adjustments to the gate fee cap and, ratify gate fees previously charged retroactive to January 1, 2003.

Supervisor Alioto-Pier, seconded by Supervisor Sandoval, moved that this Ordinance be RE-REFERRED to the Government Audit and Oversight Committee. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Ammiano introduced, welcomed and presented a Certificate of Honor to Marc Huestis.
Supervisor Mirkarimi introduced, welcomed and presented a Certificate of Honor to Captain John Ehrlich, SFPD.
Supervisor Mirkarimi introduced, welcomed and presented a Certificate of Honor to members of the San Francisco Police Department Dream Team.
Supervisor Dufty introduced, welcomed and presented a Certificate of Honor to Lee Ann Monferdini.

SPECIAL ORDER 3:30 P.M.

070967 [Public Hearing - Appeal of Minor Sidewalk Encroachment for 1166 Haight Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 13, 2007, approving a request of Minor Sidewalk Encroachment Permit to construct a warped driveway ramp and two (2) planter boxes to encroach 3'-0" into the public sidewalk right-of-way (25% of the sidewalk width as allowed by Article 15, Section 723.2 of the Public Works Code) fronting the property at 1166 Haight Street to provide access to a proposed garage below grade. (Appellant: Raquel Fox.)
(Filed June 28, 2007; companion measure to Files 070968, 070969; District 5.)

The President inquired as to whether any member of the public wished to address the Board members.
Continued to March 18, 2008

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070968 [Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street]

Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the Encroachment Permit.

Continued to March 18, 2008

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070969 [Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street]

Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the appeal.

Continued to March 18, 2008

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M.

080010 [Public Hearing - Appeal of Determination of Exemption from

Environmental Review for 652 Duncan Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 19, 2007 that a project at 652 Duncan Street (Building Permit Application No. 2005.12.23.0995, Case No. 2006.0665D) is exempt from environmental review under the California Environmental Quality Act (CEQA). The proposed project is a horizontal addition of two bedrooms and bathroom on a first floor and a dining room on a second floor, a vertical addition of a bedroom and bath, renovation of a kitchen and seismic improvements to a single-family dwelling, located in a RH-1 (Residential House, One-Family) District and a 40-X Height and Bulk District (Assessor's Block 6589, Lot 002J).
(Appellant: Stephen M. Williams)
(Filed December 7, 2007; companion measure to 080011, 080012, 080013; District 8.)

The President inquired as to whether any member of the public wished to address the Board.
Continued to February 5, 2008

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

080011 [Affirming the categorical exemption issued for the 652 Duncan Street project]

Motion affirming the determination by the Planning Department that the 652 Duncan Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to February 5, 2008

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080012 [Disapproving the categorical

exemption issued for the 652 Duncan Street project]

Motion disapproving the determination by the Planning Department that the 652 Duncan Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to February 5, 2008

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080013 [Preparation of findings related to the 652 Duncan Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 652 Duncan Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to February 5, 2008

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues relating to the SF Public Library

Female speaker; expressed concern with issues relating to Falun Gong persecution

Eugene Gordon, Jr.; expressed concern with issues relating to the violation of human rights

Male speaker; expressed concern with issues relating to women's rights

Male speaker; expressed concern with issues relating to the proposed affordable housing legislation, proposed by Supervisor Daly, for the Bay View Hunter's Point area and showed support for Supervisor Maxwell

Pastor Gary Banks; expressed concern with issues relating to the proposed affordable housing legislation, proposed by Supervisor Daly, for the Bay View Hunter's Point area and showed support for Supervisor Maxwell

Richard Robinson; expressed concerns with issues relating to homosexuality

Mr. Webb; expressed concern with issues relating to the proposed affordable housing legislation, proposed by Supervisor Daly, for the Bay View Hunter's Point area and showed support for Supervisor Maxwell

Pastor Aurillus Walker; expressed concern with issues relating to the proposed affordable housing legislation, *proposed by Supervisor Daly, for the Bay View Hunter's Point area and showed support for Supervisor Maxwell*

Francisco da Costa; showed support for the proposed affordable housing legislation proposed by Supervisor Daly

Male speaker; expressed concern with issues relating to the proposed affordable housing legislation, proposed by Supervisor Daly, for the Bay View Hunter's Point area and showed support for Supervisor Maxwell

Jim Queen; showed support for the proposed affordable housing legislation proposed by Supervisor Daly

Female speaker; showed support for the proposed affordable housing legislation proposed by Supervisor Daly

Alicia Schwartz; showed support for the proposed affordable housing legislation proposed by Supervisor Daly

Female speaker; expressed concern with issues relating to the proposed affordable housing legislation, proposed by Supervisor Daly, for the Bay View Hunter's Point area and showed support for Supervisor Maxwell

Daniel Lander; showed support for the proposed affordable housing legislation proposed by Supervisor Daly

Arnold Townsend; expressed concern with issues relating to the proposed affordable housing legislation, proposed by Supervisor Daly, for the Bay View Hunter's Point area and showed support for Supervisor Maxwell

Abdullah Megaheed; expressed concern with issues relating to the working for the City together

Supervisor Daly was noted present at 3:14 p.m.

CLOSED SESSION

080076 [Closed Session - Existing Litigation, City as Defendant]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding existing litigation, SN SANDS Corporation, DBA S & S Trucking vs. the City and County of San Francisco, San Francisco Superior Court No. 507-848.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuit. (City Attorney)

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to convene in Closed Session. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

The Board recessed at the hour of 3:48 p.m. to convene in closed session pursuant to the above motion.
Calling the Roll
The following Supervisors were noted present:
Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Persons in attendance:
Cheryl Adams, Deputy City Attorney
Vince Chabria, Deputy City Attorney
Angela Calvillo, Clerk of the Board
Kay Gulbengay, Deputy Clerk
Reconvening of the Board
The Board at the hour of 4:45 p.m. reconvened.

[Elect Not to Disclose] Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.

Supervisor Mirkarimi, seconded by Supervisor

Elsbernd, moved not to disclose its closed session deliberations. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Supervisor Daly was noted absent at 3:00 p.m.

080067 [Commending Margaret Cooch upon her retirement] **Supervisors Mirkarimi, Ammiano, Daly**

Resolution commending Margaret Cooch upon her retirement as Executive Director of Planning for Elders and honoring her life-long service to the broader communities of senior and people with disabilities.

Supervisor Daly requested to be added as a co-sponsor.

Enacted Number: 19-08

ADOPTED

080068 **[Urging San Franciscans not to purchase eggs produced by caged hens]** **Supervisor Peskin**

Resolution urging San Franciscans not to purchase eggs produced by caged hens and opposing the factory farming practice of confining egg-laying hens in battery cages.

Enacted Number: 20-08

ADOPTED

080070 **[San Francisco joins with others to form the creation of California Green Cities]** **Mayor**

Resolution committing San Francisco to join other California cities in an effort to promote local, regional, and national sustainability measures, called California Green Cities.

Enacted Number: 21-08

ADOPTED

080071 **[Funds to support risk reduction project]** **Supervisors Dufty, Ammiano**

Resolution authorizing the San Francisco Department of Public Health (DPH), HIV Research Section to enter retroactively into an agreement in the amount of $48,444 with Public Health Foundation Enterprises (PHFE), the primary contractor, to participate in a project regarding risk reduction counseling; for the period of August 1, 2007 through July 31, 2008.

Enacted Number: 22-08

ADOPTED

080072	**[Approval of a 30 day extension of Planning Commission review - Union Street Neighborhood Commercial District]**	**Supervisor Alioto-Pier**

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Planning Code Sections 725.1 and 725.42 of the Union Street Neighborhood Commercial District to provide for a limited number of new full service restaurants that satisfy specific requirements and obtain conditional use authorization; and making environmental findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

Enacted Number: 23-08

ADOPTED

080073	**[Urging the California State University system to develop uniform hiring policies to ensure workforce diversity]**	**Supervisor Sandoval**

Resolution urging the California State University system to develop uniform hiring policies to ensure workforce diversity.

Enacted Number: 24-08

ADOPTED

080074 [Approval of a second 90 day extension for Planning Commission review - adoption or expenditure of neighborhood impact fees] **Supervisor Alioto-Pier**

Resolution extending by an additional 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would add Planning Code Section 320, 320.1, 320.2 and 320.3 establishing a process to permit the adoption or expenditure of neighborhood impact fees as defined in the ordinance only after the Planning Department has conducted or caused to be conducted an impact study supporting the imposition of such a fee and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

Enacted Number: 25-08

ADOPTED

080069 [Concurring in January 4, 2008 Proclamation of Local **Mayor, Supervisor**

Emergency] **Peskin**

Motion concurring in the Mayor's January 4, 2008 Proclamation of Local Emergency, and in the actions taken to meet the emergency.

Enacted Number: M08-4

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

080089 **[Suspending Sections 34.4 and 34.6 of the Healthy Products, Healthy Children Ordinance]** **Supervisor Alioto-Pier**

Ordinance amending the San Francisco Health Code by adding Section 34.10, to suspend Sections 34.4 and 34.6 of the Healthy Products, Healthy Children Ordinance.

1/15/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 2/14/2008.

080090 [Community stabilization and PDR replacement fees and funds] **Supervisor Daly**

Draft Ordinance amending the Planning Code to add Sections 319A et seq. to create a community stabilization fund and PDR replacement fund and imposing fees on specified new developments in the Eastern Neighborhoods Area Plans, as defined herein; making a declaration of policy concerning pending residential development projects in the Eastern Neighborhoods Area Plans that are compliant with the current Planning Code; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
Economic Impact

1/15/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/14/2008.

080092 [De-appropriating $45,612 from Economic and Workforce Development and Appropriating $45,612 for Special Events Promotion in the Entertainment Commission for Fiscal Year 2007-2008] **Supervisor Dufty**

Ordinance de-appropriating $45,612 of Community Based Organization Services from the Department of

Economic and Workforce Development, and appropriating $45,612 for one 0923 Manager II position (0.33 FTE) for special events promotion in the Entertainment Commission for Fiscal Year 2007-2008.

1/15/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080093 [Zoning - Extending the interim moratorium on institutional uses in the Western SoMa] **Supervisors Peskin, Ammiano, Maxwell, Daly**

Urgency Ordinance approving an extension of interim zoning moratorium to prohibit the establishment of new institutional uses in the Western SoMa Planning Area Special Use District for an additional 22 months and 15 days and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

1/15/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080094 [Banning use of gas-powered leaf blowers] **Supervisor Mirkarimi**

Ordinance amending the San Francisco Police Code by adding Section 65, to prohibit the use of gas-powered leaf blowers within the City and County.

1/15/08, ASSIGNED UNDER 30 DAY RULE to City

Operations and Neighborhood Services Committee, expires on 2/14/2008.

080095 **[Requirements for off-street parking and loading]** **Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 151 to reduce the required number of parking spaces for housing for seniors and physically handicapped persons, affordable housing, group housing, SRO units and residential care facilities; amending Section 154 to revise the minimum dimensions for off-street parking spaces, to encourage space-efficient parking and to no longer require independently accessible parking and define independently accessible parking to include parking accessed by automated garages or car elevators and valet parking; amending Section 155 to delete a requirement for independently accessible parking and require parking design to prevent bicycle and transit lane conflicts; amending Section 157 to provide for a demonstration that car-share parking cannot satisfy the need for non-accessory parking as a conditional use; amending Section 167 to provide for optional parking in all new residential buildings or conversions to residential buildings of 10 units or more; amending Section 303(c)(2)(B) to provide for consideration of whether a use seeking a conditional use permit is providing car-share parking; amending Section 790.10 to include a car-share parking space as part of a community residential parking use;

amending Section 890.10 to include a car-share parking space as part of a community commercial parking garage use; and adopting findings.

1/15/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/14/2008.

080096 **[Authorizing a gate fee surcharge for alternate fuel vehicles put into service as taxicabs prior to 2011; requiring that all vehicles put into service as taxicabs in 2011 and after be alternate fuel vehicles]** **Supervisor Sandoval**

Ordinance amending the San Francisco Police Code by adding Section 1135.3, to authorize a graduated surcharge on the gate fee for new alternate fuel vehicles put into service as San Francisco taxicabs during the next three years, and requiring that all vehicles put into service as San Francisco taxicabs after January 1, 2011 be alternate fuel vehicles.

Economic Impact

1/15/08, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/14/2008.

080097 **[Recreation and Park Department - Geneva Office Building Contract]** **Supervisor Sandoval**

Ordinance waiving Administrative Code Sections 6.40 and 6.41 regarding the competitive procurement requirements for professional services relating to a public work project, and authorizing the Recreation and Park Department to enter into a contract for $1.2 million with a private non-profit organization for the planning and development of the adaptive re-use of the Geneva Office Building as a space for youth and teen arts.

1/15/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080098 **[Appropriating $55,000,000 of Commercial Paper revenue for Terminal Improvements T2 Boarding Area D renovations at the San Francisco Airport for Fiscal Year 2007-2008]** **Mayor**

Ordinance appropriating $55,000,000 of commercial paper revenues for Renovations to the terminal two boarding area D at the San Francisco Airport for Fiscal Year 2007-2008. (Mayor)

(Fiscal Impact.)

1/15/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080099 **[Appropriating $34,896,162 of bond sale proceeds, interest and property rental revenues for improvements and construction of San Francisco Public Library Facilities Fiscal Year 2007-2008]** **Mayor**

Ordinance appropriating $31,065,000 of bond sale proceeds from the 2000 Branch Library Improvement Program Bond - 4th Series, $3,679,362 in bond interest earned and $151,800 in rent monies to fund the improvement and construction of the San Francisco Public Library Facilities for Fiscal year 2007-08. Place Controller's Reserve on $31,065,000 of the bond sale proceeds pending sale of the bond.

1/15/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080100 [Requiring Lighting Efficiency Measures in Commercial and City Buildings] **Mayor**

Ordinance amending the 2007 San Francisco Building Code by adding a new Chapter ______ to require commercial buildings to install more efficient fluorescent lighting or other lighting efficiency measures by 2009, to make findings in accordance with California Health and Safety Code Section 17958.7 7 as to the local climatic, topological and geological reasons for amending the State Building Code; amending Section 705 of the Environment Code to require City-owned facilities to comply with the same lighting efficiency measures; and to make environmental findings.

Economic Impact

1/15/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/14/2008.

Resolutions

080091 [Treasure Island Affordable Housing] **Supervisor Daly**

Resolution encouraging the Treasure Island Community Development, LLC and the Treasure Island Development Authority to include 50% affordable housing in the Disposition and Development Agreement for the Former Naval Station Treasure Island.

1/15/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080101 [Western Addition Branch Library grand re-opening] **Supervisor Mirkarimi**

Resolution commemorating the grand re-opening of the Western Addition Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

1/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080102 [Opposing the "California Property Owners and Farmland Protection Act"] **Supervisors Sandoval, Peskin, McGoldrick, Mirkarimi,**

Maxwell, Daly, Dufty, Ammiano

Resolution opposing the "California Property Owners and Farmland Protection Act" as exacerbating the housing crisis in San Francisco, undermining the City's efforts to rebuild the water delivery system, and restricting the City's ability to fight global warming and enforce sensible land use policies.

1/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080103 **[New Ingleside Branch Library groundbreaking]** **Supervisors Elsbernd, Sandoval**

Resolution recognizing the groundbreaking ceremony for the new Ingleside Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

1/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080104 **[Appointment - Urban Counties Caucus]** **Supervisor Peskin**

Motion appointing Supervisor Carmen Chu, term ending December 31, 2008 to the Urban Counties Caucus.

1/15/08, RECEIVED AND ASSIGNED to Rules Committee.

080105 [Appointment - California State Association of Counties] Supervisor Peskin

Motion appointing Supervisor Carmen Chu, term ending November 28, 2008, as a member to the California State Association of Counties Board of Directors.

1/15/08, RECEIVED AND ASSIGNED to Rules Committee.

080106 [Commending Steve McAdam] Supervisor Peskin

Resolution commending Steve McAdam.

1/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080107 [Supporting an application for federal funding to evaluate the use of Maglev in San Francisco] Supervisor Alioto-Pier

Resolution supporting an application for federal funding to evaluate the use of Maglev in San Francisco.

1/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080112 **[National Wear Red Day - February 1, 2008]** **Supervisor Peskin**

Resolution declaring February 1, 2008 as National Wear Red Day in San Francisco.

1/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

080087 **[Establishing a Full Service Post Office in the Tenderloin Neighborhood]** **Supervisor Daly**

Hearing to discuss the benefits and process for establishing a full service post office at Hyde Street and Golden Gate Avenue. On the corner of northwest corner of Hyde Street and Golden Gate Avenue sits a general delivery post office. What would the process be for converting this station into a full service station? What would the impacts of a full service post office on the neighborhood in terms of enhanced safety, small business development and overall neighborhood feel?

1/15/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080088 **[DPH Report on Drug-Resistant USA300 Strain of Staph Infection]** **Supervisors Dufty, Ammiano, Maxwell,**

Alioto-Pier

Hearing on the growing incidence of infection by a drug-resistant strain of the staphylococcus bacteria called "USA300." Report from Department of Public Health and San Francisco General Hospital on current epidemiology of the strain, as well as any plans to incorporate this information into San Francisco's prevention and treatment modules targeted to gay men and/or others.

1/15/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080108 [Solar Energy Incentive Program] **Mayor**

Hearing to consider the proposed initiative Ordinance to be submitted by the Mayor to the voters at the June 3, 2008 election entitled "Ordinance amending the Environment Code by adding Chapter 18 creating a Solar Energy Incentive Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator".

1/15/08, RECEIVED AND ASSIGNED to Rules Committee.

080109 [Prohibition on accepting campaign contributions from **Mayor**

contractors doing business with the City]

Hearing to consider the proposed initiative ordinance to be submitted by the Mayor to the voters at the June 3, 2008 election entitled "Ordinance amending Chapter 1 of Article I of the Campaign and Governmental Conduct Code by amending section 1.126 to prohibit elected officials and their controlled committees from soliciting or accepting contributions from certain City contractors".

1/15/08, RECEIVED AND ASSIGNED to Rules Committee.

080110 **[Prohibition on making, soliciting or accepting campaign contributions from persons with conditional use or California Environmental Quality Act appeals at the Board of Supervisors for projects worth $10 million or more]** Mayor

Hearing to consider the proposed initiative ordinance to be submitted by the Mayor to the voters at the June 3, 2008 election entitled "Ordinance amending Chapter 1 of Article I of the Campaign and Governmental Conduct Code by adding section 1.127 to prohibit making, soliciting or accepting contributions to members of the Board of Supervisors, candidates for the Board of Supervisors, and their controlled committees from

any party with a conditional use or California Environmental Quality Act appeal pending at the Board of Supervisors and for six months following the conclusion of the appeal if the cost of the project is $10 million or more".
1/15/08, RECEIVED AND ASSIGNED to Rules Committee.

080111 [Incentives for Family-sized Affordable Housing Units]

Supervisors Dufty, Maxwell, Mirkarimi, Peskin

Hearing to consider the proposed initiative ordinance to be submitted by four or more Supervisors to the voters at the June 3, 2008 election entitled "Ordinance amending the Residential Inclusionary Affordable Housing Program, including Planning Code Section 315.9 to allow for density bonuses to project applicants who develop on-site, affordable family-sized units as defined herein as part of their inclusionary housing requirements; and the addition of Planning Code Section 315.10 regarding severability".
1/15/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

080054 [Settlement of Lawsuits and Claims]

Ordinance authorizing settlement of claims made by Plaintiffs Kurt Bruneman, Tom Feledy, Narda Gillespie, Michael Hughes, Gregory Mar, Donna Meixner, Mark Osuna, Frederick Schiff, Mark Sullivan, Dennis Quinn, Donald Woolard, Michael Zurcher in a multi-party action against the City and County of San Francisco for $1,600,000.00, and City to credit Mark Sullivan with 125.5 compensation time hours; the three lawsuits for the above-mentioned plaintiffs were all filed in the United States District Court, Northern District, Case No. C03-4345 (filed on January 16, 2003 and entitled Frederick Schiff v. City and County of San Francisco, et al.), Case No. C04-2261 (filed on June 8, 2004 and entitled Narda Gillespie, et al. v. City and County of San Francisco, et al.), Case No. C04-2262 (filed on June 8, 2004 and entitled Mark Osuna v. City and County of San Francisco, et al.). (City Attorney)

1/3/08, RECEIVED AND ASSIGNED to Rules Committee.

080055 [Settlement of Lawsuit - Teresa Yeung]

Ordinance authorizing the settlement of a lawsuit filed by Teresa Yeung, against the City and County of San Francisco for $87,500.00; the lawsuit was filed on July 23, 2007, in San Francisco Superior Court, Case No. 07-465400, entitled Teresa Yeung v. City and County of San Francisco.

1/3/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

080051 [Emergency contract to design and install permanent high voltage electrical distribution system at San Francisco General Hospital]

Resolution approving an emergency public work contract under San Francisco Administrative Code section 6.60, to install a new, permanent high voltage electrical distribution system at San Francisco General Hospital. (Public Works Department)

(Fiscal Impact.)

1/2/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080052 [Airport Lease and Operating Agreement]

Resolution approving the exercise of the second of five one-year options to extend the term of Smarte Carte, Inc.'s Luggage Cart Lease and Operating Agreement No. 01-0343. (Airport Commission)

(Fiscal Impact.)

1/2/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080053 **[Airport Concession Lease]**

Resolution approving the Boarding Area "F" Candy Store and Kiosks Lease between Pacific Gateway Concessions, LLC., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

1/2/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080056 **[Approving a modified term in excess of ten years for Consultant Contract ENEN99000032-01 with TRC-Imbsen & Associates, for services related to the Fourth Street Bridge]**

Resolution approving a modified term in excess of ten years for Consultant Contract ENEN99000032-01with TRC-Imbsen for design professional services related to the Fourth Street Bridge Seismic Retrofit and Rehabilitation project, under Charter Section 9.118(b). (Public Works Department)

1/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting that the Department

of Parking and Traffic report on the status of removing graffiti from parking signs and poles at the following locations:

- *Baker between Geary and California*
- *Sutter between Divisadero and Lyon*
- *Sutter between Fillmore and Steiner*
- *Scott between California and Bush*
- *Bush between Divisadero and Gough*
- *Pine between Gough and Divisadero*
- *Pierce between Post and Bush*
- *Wilmont between Steiner and Fillmore*

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting that the Department of Parking and Traffic report on the status of removing graffiti from the following DPT/MTA property:
Signs
"One-Way" sign at the northeast corner of Wilmont and Steiner
Parking Meters
Between Bush and Divisadero
Pedestrian Crossing Signal
All corners of Bush and Broderick
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing the graffiti from mailboxes and garbage cans at the following locations:
Mailboxes

- *Northeast corner of Waller and Divisadero*
- *Northeast corner of Divisadero and O'Farrell*

- *Southeast corner of Sutter and Divisadero*
- *Northeast corner of Broderick and Bush*
- *Northwest corner of Fillmore and Sutter*

Garbage Cans:

Northeast corner of Baker and Sutter

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the public property located at the following locations:

Emergency Boxes

- *Southeast corner of Divisadero and Eddy*
- *Southeast corner of Bush and Broderick*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the utility poles at the following locations:

Metal

- *Northeast corner of Sutter and Steiner*
- *All poles on Steiner between Pierce and Bush*
- *All poles on Divisadero between Page and Haight*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti at the following private property locations:

- *600 Divisadero*
- *2401 Post*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of repairing potholes at the following locations:

- *Intersection of Steiner and Bush (east crosswalk)*
- *Intersection of Geary and Divisadero (more on the north side of intersection)*

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from newstands at the following locations:
Guardian
Southwest corner of Geary and Divisadero
SF Daily
Southeast corner of Divisadero and Bush
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following locations:
Light Switch Boxes

- *Southeast corner of Divisadero and Turk*
- *Northeast corner of Baker and Post*

Phone Switch Boxes

- *Northeast corner of Broderick and Post*
- *Southeast corner of Broderick and Bush*
- *1750 Bush*
- *Northeast corner of Bush and Broderick*

From: Supervisor Ammiano
To: Director, Mayor's Office of Criminal Justice
To: Director, Mayor's Budget Office
To: Chief, San Francisco Police Department

Requesting/Inquiring: Though it may not be the best formula, the City allocates crime-fighting resources based on body counts. The Mission's homicide rate increased in 2007 over 2006, and in the first 2 weeks of 2008, there have been multiple murders and many more people have been hospitalized with gunshot and stab wounds.

I want confirmation from the administration that significantly increased resources will be brought to bear in the Mission to combat the violence that is taking the lives of our young men and women, and generally wreaking havoc in our community. The current wave of violence is more that demonstrative of the need.

I want to know what the status of installing shot-spotter technology in the Mission is, and I want a date certain timeline for the deployment and utilization of this technology.

Additionally, I want to know how the administration will increase resources for violence prevention in what seems to be a lean budget year.

Given that violence has been and is still on the rise in the Mission, what has the City's law enforcement community identified as the shortcomings of our current violence/crime prevention model, and to what degree is the City looking to our municipalities who have had greater success?

When can the Supervisors of the City's districts most effected by violence have a full accounting of what in our current approach is broken, and how the City will go about fixing it?

In Memoriams

Terrell Rogers - Entire Board
Jacob Herrera - Supervisor Ammiano
Brian McElhatton - Supervisor Daly
Deputy Ernest Smith - Supervisor Elsbernd

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:46 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on February 5, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site /bdsupvrs_index.asp?id=4383For information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

翻譯：必須在會議前最少四十八小時提出要求
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554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett

Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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January 29, 2008

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, January 29, 2008

2:00 PM

Legislative Chamber - Second Floor

Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*None.*
Members Absent:	*None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll all Supervisors were noted present. There was a quorum present.

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

071630 **[Accept - Expend Grant, DPH - $213,498]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant from the California HIV/AIDS Research Program of the University of California in the amount of $213,498 for the project entitled "Acute HIV Infection Detection in San Francisco and San Mateo," for the period of October 1, 2007 through December 31, 2008, which includes a subcontract with the San Mateo County Health Department for $31,481 for the same time period.

Enacted Number: 31-08

ADOPTED

071633 **[Accept-Expend Bequest of Phyllis C. Wattis Trust]** **Supervisor Elsbernd**

Resolution authorizing the San Francisco Public Library to accept and expend $150,000 from the Friends of the San Francisco Public Library (Friends) from the endowment fund established at the Friends by the PHYLLIS WATTIS Trust for public service improvements at the Main Library.

Enacted Number: 32-08

ADOPTED

071638 **[Accept-Expend Federal Grant,** **Supervisor**

Mayor's Office of Criminal Justice - $137,989] **Elsbernd**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $137,989 from the United States Department of Justice (DOJ), Bureau of Justice Assistance (BJA), under the Bulletproof Vest Partnership program to purchase armor vests for law enforcement officers in the Sheriff's Department, Police Department, Office of the District Attorney, Juvenile Probation Department and Adult Probation Department.

Enacted Number: 30-08

ADOPTED

071639 [Accept-Expend State Grant, SF Port Commission - $710,000] **Supervisor Maxwell**

Resolution authorizing the San Francisco Port Commission to accept and expend a total of $710,000 in grant funds from the California Coastal Conservancy ($200,000) and the California Department of Boating and Waterways ($510,000) to fund the Pier 52 Public Boat Launch Project.

Enacted Number: 27-08

ADOPTED

071640 [Accept-Expend State Grant, SF Port Commission - $200,000] **Supervisor Maxwell**

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $200,000 from the California Cultural and Historical Endowment for planning activities at Pier 70.

Enacted Number: 26-08

ADOPTED

Recommendations of the Land Use and Economic Development Committee

071581 [Changing the official sidewalk width - Townsend Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1576 to change the official sidewalk width on the northerly side of Townsend Street between 6th and 7th Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1 and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)
(DPW Order No. 177,191)

PASSED, ON FIRST READING

071449 [Acceptance of the gift related to the improvement of a portion **Supervisors Alioto-Pier,**

of the Lyon Street Stairs] **Sandoval**

Resolution acknowledging and accepting Richard C. Blum's gift to refurbish a portion of the Lyon Street Stairs and dedicating these improvements to public use.

Enacted Number: 44-08

ADOPTED

Recommendations of the Public Safety Committee

071636 [Accept-Expend State Grant, Chief of Police - $235,252] **Supervisor Dufty**

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of $235,252 from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) for a program entitled "COPSmeth 2007 San Francisco".

Enacted Number: 36-08

ADOPTED

071635 [Accept-Expend State Grant, Chief of Police - $295,000] **Supervisor Dufty**

Resolution authorizing the Chief of Police for the City and County of San Francisco to Retroactively accept and expend a grant in the amount of $295,000 from the Governor's Office of Emergency Services for a project entitled "California Multi-Jurisdictional Methamphetamine Enforcement Team (CAL-MMET)" program.

Enacted Number: 33-08

ADOPTED

071665 [Accept-Expend State Grant, Chief of Police - $220,000] **Supervisor Elsbernd**

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of $220,000 from the Governor's Office of Emergency Services for a program entitled "Anti-Gang Initiative/Project Search & Rescue".

Enacted Number: 34-08

ADOPTED

071666 [Accept-Expend Federal Grant, Chief of Police - $754,618] **Supervisor Elsbernd**

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of $754,618 from the U.S. Department of Justice, Bureau of Justice Assistance for a program entitled "Byrne 2007 Discretionary Grant Program; BJA-Targeting Violent Crime Initiative".

Enacted Number: 35-08

ADOPTED

080048 [Accept-Expend Federal Pass Through Grant - Department of Emergency Management, Division of Emergency Services] **Supervisor Elsbernd**

Resolution authorizing the Department of Emergency Management, Division of Emergency Services, to accept and expend a Federal pass through grant in the amount of $950,000 from the Governor's Office of Homeland Security for the Buffer Zone Protection Program, and to enter into an MOU with Bay Area Rapid Transit (BART) to fund critical infrastructure needs.

Enacted Number: 38-08

ADOPTED

Recommendations of the Rules Committee

080002 [Settlement of Lawsuit - Daniel Worrell]

Ordinance authorizing settlement of the lawsuit filed by Daniel Worrell against the City and County of San Francisco for $585,000; the lawsuit was filed on August 25, 2006 in San Francisco Superior, Case No. 455-569; entitled Daniel Worrell v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

080015 [Settlement of Lawsuit - Francis Kelly et al.]

Ordinance authorizing the settlement of a lawsuit filed by Francis Kelly et al., acting for themselves and others similarly situated, against the City and County of San Francisco for $755,000.00 plus accrued interest; the lawsuit was filed on February 25, 2005, in the United States District Court for the Northern District, Case No. C05-1287, entitled Francis Kelly, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

080028 [Appointment - Library Citizens Advisory Committee]

Motion appointing Theodore Bamberger, term ending July 18, 2008, to the Library Citizens Advisory Committee.

Theodore Bamberger, succeeding Richard Mason, term expired, seat 12, must be member from the community at large, representative of senior citizens, for the unexpired portion of a two-year term ending July 18, 2008.

Enacted Number: M08-10

APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

071136 **[Recreation and Park Department - Camping, Sleeping]** **Mayor**

Ordinance amending San Francisco Park Code Section 3.12 to prohibit cooking, and to prohibit modification of park landscape to create a shelter; and amending Section 3.13 to prohibit sleeping in any park from 8:00 p.m. to 8:00 a.m. (Supervisor Daly dissented in Committee.)

Enacted Number: 12-08

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Ammiano, Daly, Sandoval

Recommendation of the Public Safety Committee

071536 [Access to and retention of community safety camera recordings] **Supervisors Sandoval, Mirkarimi**

Ordinance amending the San Francisco Administrative Code by amending Section 19.3 to allow the Public Defender and other criminal defense attorneys and investigators to obtain community safety camera recordings for particular purposes; and amending Section 19.6 to specify the procedures for the Public Defender and other criminal defense attorneys and investigators to request community safety camera recordings and to require that the Department of Telecommunications and Information Services retain the recordings for at least 30 days but not more than 30 days.

Continued to February 12, 2008

Supervisor Sandoval, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Rules Committee

071538 [Imposing a suppression order upon the Board of Supervisors] **Supervisor Sandoval**

Motion self-imposing a suppression order upon members of the Board of Supervisors and its staff after the Ethics Commission has forwarded to the Board a recommendation in the official misconduct proceedings against Supervisor Edmund Jew.

Supervisor Sandoval, seconded by Supervisor McGoldrick, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendation of the Budget and Finance Committee

080018 [Public Auction - Sell certain parcels of tax-defaulted real property]

Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Treasurer-Tax Collector)

Enacted Number: 39-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

071607 [Trans Fat Free Program Ordinance] **Supervisors Maxwell, Peskin, Ammiano, Alioto-Pier, McGoldrick, Daly**

Ordinance amending the San Francisco Health Code by adding Article 37, Sections 3701 through 3711, to: (1) encourage restaurants located in the City and County of San Francisco to discontinue the use of artificial trans fat in food served to customers by creating an incentive program, and (2) provide regulations for the voluntary trans fat free program.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071247 [Liquor License Transfer - 22 Sixth Street]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage license from 26 6th Street to 22 6th Street (District 6) to Jamal Taha for Rite-by Grocery, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Enacted Number: 40-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071067 [Liquor License - 2598 San Bruno Avenue]

Resolution determining that the issuance of a Type 40 on-sale beer license to John Casimier Mitchell for Fat Beli Deli located at 2598 San Bruno Avenue (District 10), will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Enacted Number: 41-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

071681 [Changing the name of an approximately 200-ft long portion of Jessie Street bounded by 5th and Mint Streets and a 75-ft long portion of Mint Street to Mint Plaza] **Supervisor Daly**

Resolution changing the name of an approximately 200-foot-long portion of Jessie Street (from 400 to 426 Jessie Street), bounded by 5th Street and Mint Street and an approximately 75-foot portion of Mint Street (containing one address, 54 Mint Street) to Mint Plaza, in recognition of the newly constructed pedestrian plaza that now occupies those areas.

Enacted Number: 29-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080036 [Adopting the Planning Department's report on File **Supervisors Peskin,**

071534 - Interim Moratorium on Institutional Uses in the Western SoMa]	**Sandoval, Maxwell, Ammiano**

Motion adopting the Planning Department's report on File No. 071534 - an interim zoning moratorium to prohibit the establishment of new institutional uses in the Western SoMa Planning Area Special Use District for 45 Days.

Enacted Number: M08-9

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Public Safety Committee

080049	**[Accept and Expend FY 07 Urban Areas Security Initiative Grant and Amend Annual Salary Ordinance, FY 2007-2008]**	**Supervisor Elsbernd**

Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco as the primary grantee for the combined Bay Area Urban Area ("Super UASI" or "SUASI") region and as the fiscal agent for the SUASI Approval Authority, to retroactively accept and expend an Urban Areas Security Initiative ("UASI") grant in the amount of $27,304,000 from the United

States Department of Homeland Security, through the California Governor's Office of Homeland Security; amending Ordinance No. 175-07 (Annual Salary Ordinance, FY 2007-2008) to reflect the extension of eight grant-funded positions at the following Departments: Emergency Management; Police; Fire; Health; and Sheriff; and amending Ordinance No. 175-07 (Annual Salary Ordinance, FY 2007-2008) to reflect the addition of six grant-funded positions at the Department of Emergency Management.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Rules Committee With Recommendation "Do Submit"

071664 [Charter Amendment - Retired employees convicted of crimes involving moral turpitude in connection with their employment to forfeit any right to pension benefits funded from employer contributions] **Supervisor Elsbernd**

Charter Amendment (First Draft) to amend Sections A8.584-9, A8.586-12, A8.587-9, A8.588-12, A8.597-12 and A8.598-12, and by adding Sections

A8.584-13, A8.586-16, A8.587-14, A8.588-16, A8.597-16 and A8.598-16 to reaffirm the voters' intent that members convicted of a crime involving moral turpitude in connection with their duties as an officer or employee of the City and County, the school district, the college district, or the Superior Court of California, County of San Francisco, shall forfeit any right to a retirement benefit funded, in whole or in part, from contributions by the City and County, the school district, or the college district.

Continued to February 5, 2008

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Board of Supervisors Sitting as a Committee of the Whole

Supervisor McGoldrick was noted absent at 2:40 p.m.

071588	**[Hearing at the Full Board on the response to the November 7, 2007 oil spill in the San Francisco Bay]**	**Supervisor Alioto-Pier**

Hearing to examine the response of the various agencies involved in the response to the oil spill, including the Coast Guard and the Golden Gate National Recreation Area, and their coordination with City agencies, including the Department of Emergency Management. The hearing will further examine how response decisions were made and communicated to the relevant parties.

The President inquired as to whether any member of the public wished to address the Board members.
Laura Phillips, Director of Emergency Services
Ron Dudgeon, Staff of the Emergency Services
Francisco da Costa
Male speaker
The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

It was decided to to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests.

Supervisor Ammiano introduced, welcomed and presented a Certificate of Honor to Ms. Roma Guy in appreciation for her long service on the Health Commission.
Supervisor Peskin introduced, welcomed and

presented an In Memoriam to the family of Linus Black. The Board of Supervisors adjourned its meeting of January 29, 2008 in his memory.

SPECIAL ORDER 4:00 P.M.

070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and

bulk district.
(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)
(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

The President inquired as to whether any member of the public wished to address the Board members. There were none.
Continued to February 26, 2008

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070911 **[Affirming the Categorical Exemption issued for the 3424 Jackson Street project]**

Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to February 26, 2008

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070912 **[Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]**

Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to February 26, 2008

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the

following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070913 [Preparation of findings related to the 3424 Jackson Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Continued to February 26, 2008

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

080093 [Zoning - Extending the interim moratorium on institutional uses in the Western SoMa] **Supervisors Peskin, Ammiano, Maxwell, Daly**

Urgency Ordinance approving an extension of interim zoning moratorium to prohibit the establishment of new institutional uses in the Western SoMa Planning Area Special Use District for an additional 22 months and 15 days and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Supervisors Ammiano, Maxwell and Daly requested to be added as co-sponsors.

Enacted Number: 11-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes *to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

Abdullah Megaheed; expressed concern with issues relating to the homeless
James Chaffee; expressed concern with issues relating to the SF Public Library
Female speaker; expressed concern with issues relating to the time at which public comment is held and her concern regarding the tiger incident at the Zoo
Dierdre Lane; expressed concern with issues relating to the MTA security officer's contract
Security Officer; expressed concern with issues relating to the MTA security officer's contract
Security Officer; expressed concern with issues relating to the MTA security officer's contract
Richard McGreary; expressed concern with issues relating to his patent for the design of the Sigmund Stern Grove
John di Donna; expressed concern with issues relating to the violations of human rights

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Supervisor McGoldrick was noted present at 4:06 p.m.

080101 [Western Addition Branch Library grand re-opening] **Supervisor Mirkarimi**

Resolution commemorating the grand re-opening of the Western Addition Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

Enacted Number: 37-08

ADOPTED

080102 [Opposing the "California Property Owners and Farmland Protection Act"] **Supervisors Sandoval, Peskin, McGoldrick, Mirkarimi, Maxwell, Daly, Dufty, Ammiano**

Resolution opposing the "California Property Owners and Farmland Protection Act" as exacerbating the housing crisis in San Francisco, undermining the City's efforts to rebuild the water delivery system, and restricting the City's ability to fight global warming and enforce sensible land use policies.

Enacted Number: 45-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080106 [Commending Steve McAdam] **Supervisor Peskin**

Resolution commending Steve McAdam.

Enacted Number: 43-08

ADOPTED

080112 [National Wear Red Day - February 1, 2008] **Supervisor Peskin**

Resolution declaring February 1, 2008 as National Wear Red Day in San Francisco.

Enacted Number: 28-08

ADOPTED

080080 [Final Map - 829 - 831 Folsom Street]

Motion approving Final Map 4477, a 69 Unit Residential Condominium Project, located at 829 -

831 Folsom Street being a subdivision of Lot 091 in Assessors Block No. 3752 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department) (DPW Order No. 177,321; District 6.)

Enacted Number: M08-5

APPROVED

080081 [Final Map - 755 Eddy Street]

Motion approving Final Map 2512, a 12 Unit Residential Condominium Project, located at 755 Eddy Street being a subdivision of Lot 010 in Assessors Block No. 0742 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department) (DPW Order 177,310; District 6.)

Enacted Number: M08-6

APPROVED

080082 [Final Map - 2525 California Street]

Motion approving Final Map 4170, a 16 Residential Unit and 3 Commercial Unit Mixed-Use Condominium Project, located at 2525 California Street being a subdivision of Lot 032 in Assessors Block No. 0655 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 177,351; District 5.)

Enacted Number: M08-7

APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Without Reference to Committee Agenda

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.
The President inquired as to whether any member wished to address the Board members.
There were none.
The President declared the public hearing closed.

071599 [Committee of the Whole - January 29, 2008 regarding the November 7, 2007 Oil Spill] **Supervisor Alioto-Pier**

Motion scheduling the Board to sit as a Committee of the Whole to review the City's response to the oil spill, to be held on January 29, 2008.

Enacted Number: M08-8

APPROVED.

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

080103	**[New Ingleside Branch Library groundbreaking]**	**Supervisors Elsbernd, Sandoval**

Resolution recognizing the groundbreaking ceremony for the new Ingleside Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

Amended by replacing "February 5, 2008' with "February 15, 2008."

Enacted Number: 42-08

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Resolution be ADOPTED AS AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor McGoldrick requested that this matter be severed so that it might be considered separately.

080107	**[Supporting an application for federal funding to evaluate the use of Maglev in San Francisco]**	**Supervisor Alioto-Pier**

Resolution supporting an application for federal funding to evaluate the use of Maglev in San Francisco.

Supervisor McGoldrick requested that this matter be referred to Committee.

REFERRED to the Rules Committee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

080156 **[Zoning - Prohibition on specified educational services in Western SoMa]** **Supervisor Peskin**

Ordinance amending the Planning Code by amending Section 823 to prohibit educational institutions as defined in Section 890.50(c) in the Western SoMa Planning Area Special Use District; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Economic Impact

1/29/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/28/2008.

080157 **[Zoning - Educational services** **Supervisor**

	and institutional uses, Mixed Use Districts and NCDs]	**Peskin**

Ordinance amending the Planning Code by amending Sections 102.2 to exclude specified accredited educational institutions from the definition of arts activities; amending Section 790.50 and 890.50 to clarify that certain institutions, including accredited educational institutions, in the Neighborhood Commercial Districts and Mixed Use Districts are required to comply with applicable provisions of the institutional master plans as set forth in Section 304.5; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

1/29/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/28/2008.

080160	**[Prohibition on accepting campaign contributions from contractors doing business with the City]**	**Supervisor Peskin**

Ordinance amending Chapter 1 of Article I of the Campaign and Governmental Conduct Code by amending sections 1.104 and 1.126 to expand the definition of controlled committees to encompass elected officials who raise $10,000 or more in contributions for the committee and to prohibit elected officials and their controlled committees from soliciting or accepting contributions from certain City contractors.

1/29/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/28/2008.

080161 [Prohibition on making, soliciting, or accepting campaign contributions from persons with land use matters before a decision-making body] **Supervisor Peskin**

Ordinance amending Chapter 1 of Article I of the Campaign and Governmental Conduct Code by amending section 1.104 and adding section 1.127 to prohibit making, soliciting or accepting contributions to members of the Board of Supervisors, candidates for the Board of Supervisors, the Mayor, candidates for Mayor and their controlled committees from any person with a land use matter before a Board or Commission.

1/29/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/28/2008.

080162 [Disclosure of lobbying by campaign consultants] **Supervisor Peskin**

Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by amending section 2.117 to require campaign consultants to disclose lobbying contacts with any officer of the City and County.

1/29/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/28/2008.

Resolutions

080150 [Approving Amendment to Paratransit Broker Agreement with ATM/Vancom] **Supervisor Alioto-Pier**

Resolution approving Amendment No. 7 to Agreement between the City and County of San Francisco and ATC/Vancom, Inc., to extend the current contract for two years, through March 31, 2010; to augment the scope of work to implement the new debit card program; to lease up to 40 new vans to the Paratransit Broker for use in the Paratransit Program; and to increase the contract amount by $33,803,476, for a total contract amount not to exceed $191,825,015.

(Fiscal Impact.)

1/29/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080151 [Accept-Expend Regional Grant - Airport Commission] **Supervisor Chu**

Resolution authorizing the Airport Commission to accept and expend two (2) grants totaling $298,000 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles by Airport transportation operators.

1/29/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080152 [Condemning Drug Enforcement **Supervisors**

	Agency Actions Against Property Owners Leasing Space to Medical Cannabis Dispensaries]	**Daly, McGoldrick, Mirkarimi**

Resolution reaffirming that the City and County of San Francisco is a sanctuary for medical cannabis, an integral component of which are property owners who, pursuant to City regulations, lease space to authorized Medical Cannabis Dispensaries ("MCD"s) that provide needed services to qualified medical cannabis patients and their caregivers, and that the City vehemently condemns the Drug Enforcement Agency (DEA) for issuing sensational letters to these property owners threatening asset forfeiture and imprisonment.

1/29/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080154	**[Accept-Expend Federal Grant - Airport Commission]**	**Supervisor Elsbernd**

Resolution authorizing the Airport Commission to accept and expend funding in a total amount of $849,126 from the Transportation Security Administration ("TSA") for the Airport K-9 Explosives Detection Team Program.

1/29/08, RECEIVED AND ASSIGNED to Public Safety Committee.

080155	**[Extending the term of service for the Power Plant Task Force]**	**Supervisor Maxwell**

Resolution to extend the expiration date of the Power Plant Task Force from June 1, 2007 to December 31, 2009.

1/29/08, RECEIVED AND ASSIGNED to Rules Committee.

080158 **[Apply for Grants from a State Agency - Department of the Environment]** **Supervisor Alioto-Pier**

Resolution authorizing the Department of the Environment to apply for a grant of up to $200,000 from the California Energy Commission for the purpose of studying the feasibility of the use of Geothermal Heat Pumps as a source of renewable energy for the City of San Francisco.

1/29/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080159 **[Issuance and Sale of Tax-Exempt Bonds - Lyc,e Fran‡ais Lap,rouse]** **Supervisor Chu**

Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $2,000,000 to finance the acquisition, construction, improvement and/or equipping of facilities owned by Lyc,e Fran‡ais Lap,rouse or an affiliate and certain other matters relating thereto.

1/29/08, RECEIVED AND ASSIGNED to Budget and

Finance Committee.

080163	**[Urging the Mayor to Return Transit Funding to the Municipal Transportation Agency]**	**Supervisors Peskin, Daly, Ammiano, Mirkarimi, Maxwell, Sandoval**

Resolution urging Mayor Gavin Newsom to return to the Municipal Transportation Agency positions and funds that are not directly related to the operations of the Agency.

1/29/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080166	**[Authorizing the execution and delivery of certificates of participation to finance the acquisition, demolition, improvement, installation, equipping, rehabilitation, construction and/or reconstruction of an office building located at 525 Golden Gate Ave]**	**Mayor**

Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition, demolition, improvement, installation, equipping, rehabilitation, construction and/or reconstruction of an office building and related

property located at 525 Golden Gate Avenue; approving the form of a trust agreement between the City and County of San Francisco (the "City") and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the form of a property lease between the City and a trustee relating to 525 Golden Gate Avenue; approving the form of a project lease between the City and a trustee (including certain indemnities contained therein); approving the form of a Memorandum of Understanding between the San Francisco Public Utilities Commission and the City; approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31 and findings pursuant to the City Planning Code Section 101.1; and ratifying previous actions taken in connection therewith.
(Fiscal Impact.)
1/29/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080167 [Approval of Amendment No. 4 to architectural design agreement for the new Public **Mayor**

Utilities Commission administration building located at 525 Golden Gate Avenue, San Francisco]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 4 to architectural design agreement for the new San Francisco Public Utilities Commission administration building project located at 525 Golden Gate Avenue to increase the contract value by $7,090,000 to bring the total contract value to $11,550,000, and extend the contract duration by 26 months for a total duration of 44 months.

(Fiscal Impact.)

1/29/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080171 [Commending Jean Shelton] Supervisor Chu

Resolution proclaiming February 13, 2008 as Jean Shelton Day in San Francisco.

1/29/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080172 [Accept and expend gift in the amount of $15,000] Supervisor Chu

Resolution accepting and expending a gift in the amount of $15,000 from Visa America to the Recreation and Park Department to support and

expand the Recreation and Park Department's volleyball program and provide scholarships for San Francisco youth to participate.
1/29/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080173 [Accept-Expend Federal Grant - Office of the Chief Medical Examiner] **Supervisors Elsbernd, Dufty**

Resolution authorizing the Office of the Chief Medical Examiner to accept and expend a grant in the amount of $95,000 from the Paul Coverdell Forensic Science Improvement Grants Program of the Department of Justice.
1/29/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080174 [Urging MTA to approve temporary "Street Closure to Vehicular Traffic" on O'Farrell Street between Steiner and Fillmore for Farmers' Market] **Supervisor Mirkarimi**

Resolution urging the Municipal Transportation Authority to enact temporary "Street Closure to Vehicular Traffic" regulations on O'Farrell Street between Steiner Street and Fillmore Street from 7 A.M. to 2 P.M. on every Saturday between April 26, 2008 and November 22, 2008.

1/29/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080175 [Peace Corps Week - February 25 - March 3, 2008] **Supervisor Peskin**

Resolution proclaiming February 25 - March 3, 2008 as Peace Corps Week in San Francisco.

1/29/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080176 [Dr. Philip R. Day, Jr. Day - February 7, 2008] **Supervisor Peskin**

Resolution proclaiming February 7, 2008 to be Dr. Philip R. Day, Jr. Day in San Francisco.

1/29/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080177 [Opposing Propositions 94, 95, 96, and 97] **Supervisors Peskin, Ammiano, Daly, Mirkarimi, Sandoval, McGoldrick, Maxwell, Dufty**

Resolution opposing Propositions 94, 95, 96, and 97 on the February 5th General Election.

1/29/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

080142 [Rainy Day Reserve Fund] Supervisors Ammiano, Dufty

Hearing on the Rainy Day Reserve Fund as it relates to projected SFUSD budget shortfall.

1/29/08, RECEIVED AND ASSIGNED to City and School District Select Committee. Sponsor requests that the item be heard at the City and School District Select Committee meeting on February 7, 2008.

080143 [Public Education Fund (Proposition H)] Supervisor Dufty

Hearing to consider the Public Education Fund planning process, including an update of the Public Education Fund 2008-09 proposal, as submitted to the city by the Board of Education.

1/29/08, RECEIVED AND ASSIGNED to City and School District Select Committee. Sponsor requests that the item be heard at the City and School District Select Committee meeting on February 7, 2008.

080144 [Impact of Proposed Statewide Budget Cuts] Supervisor Dufty

Hearing to consider the impact of the proposed 10% cut in state education funding on the San Francisco Unified School District. The hearing will discuss what programs may face decreases in funding as well as possible alternate funding sources.

1/29/08, RECEIVED AND ASSIGNED to City and School District Select Committee. Sponsor requests that the item be heard at the City and School District Select Committee on February 7, 2008.

080145 [Employment Violations, Racial Harassment and Discrimination at Bayview/Hunters Point Construction Site] Supervisor Daly

Hearing to consider charges of employment violations, racial harassment and discrimination related to City and State funded housing development in Bayview/Hunter's Point, developed by the Apartment Investment Management Company (AIMCO) and its general contractor, Fortney and Weingendt.

1/29/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080146 [Status of the Environmental Impact Report for San Francisco General Hospital] Supervisor Daly

Hearing to consider the status of the Environmental Impact Report in preparation for the San Francisco General Hospital Rebuild.

1/29/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080147 [Latin Clinic at Tom Waddell Health Center] Supervisor Daly

Hearing to consider cuts to the Latin Clinic at Tom Waddell Health Center and will explore the following questions: What is the rationale behind these cuts? What are the changes in levels of Spanish speaking to English speaking staff at the Health Center? How have Spanish speaking staff been moved around within the Health Center? What is the impact of these changes on the well being on Latino patients? How do the cuts to the Latin Clinic compare with other Primary Care Clinics within Tom Waddell Health Center?

1/29/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080148 [Initial Reporting on the Slavery Era Disclosure Ordinance] Supervisors Maxwell, Dufty

Hearing on the City Administrator's initial report on the Slavery Era Disclosure Ordinance.

1/29/08, RECEIVED AND ASSIGNED to Rules Committee.

Motions

080149 [Legislative Analyst Request for Supervisor

Best Zoo Practices] **McGoldrick**

Motion requesting the Legislative Analyst to draft a report analyzing the different types of zoos in the world and discuss some of the best practices in terms of animal well being (health, living space, etc), education and species conservation efforts. Also, compare the San Francisco Zoo in terms of the above best practices.

1/29/08, ASSIGNED to Board of Supervisors. Scheduled for Board consideration February 5, 2008. In-depth report as soon as possible.

080169 [Suspension of Rule 6.13 regarding use of Legislative Chamber] **Supervisor Peskin**

Motion suspending Rule 6.13 of the Rules of Order of the Board of Supervisors that limits the use of the Legislative Chamber to governmental purposes in order to permit filming activity by Milk, LLC and Groundswell Productions in the Chamber during a three-day period: February 28, February 29 and March 1, 2008.

1/29/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080165 [Appointment- Peninsula Corridor Joint Powers Board] **Supervisor Peskin**

Motion appointing Supervisor Sean S. Elsbernd to the Peninsula Corridor Joint Powers Board.

(Supervisor Elsbernd was excused from voting in Committee).
1/29/08, RECEIVED AND ASSIGNED to Rules Committee.

080170 [Access to Board of Supervisors Chamber] Supervisor Peskin

Motion directing the Clerk of the Board of Supervisors to negotiate with Milk, LLC and Groundswell Productions for the terms of access and use of the Board of Supervisors Chamber for set up and pre-lighting, filming, and clean-up (collectively "Filming Activity"), directing the Clerk of the Board to consult with the Executive Director of the Film Commission in ensuring that the terms of the Use Agreement between the City and Groundswell Productions are consistent with the City's general practices with respect to filming on City property and that such Use Agreement includes any additional provisions necessary to ensure proper treatment and protection of the Board of Supervisors Chamber, establishing that such filming activity by Groundswell Productions shall not interfere with the business of the Board of Supervisors, and mandating that Groundswell Productions' activity shall be subject to the special guidelines for use of the Board of Supervisors Chamber developed by the Clerk of the Board of Supervisors, in consultation with the City Architect, the Executive Director of the Film Commission and the City Attorney.

1/29/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080062 [Regulating the permitted locations of new liquor stores and their conditions of operation] **Supervisors Sandoval, Alioto-Pier**

Motion ordering submitted to the voters an Ordinance authorizing amendment of the Planning Code by adding Section 226.5 to impose a distance requirement of 1,000 feet or more between new off-sale liquor stores and existing liquor stores, schools, public libraries and recreation centers and establishing conditions for operation of liquor stores at an election to be held on June 3, 2008. (Economic Impact)

1/8/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/7/2008. (Referred to Departments for review and comment.)

1/29/08, SUBSTITUTED. Supervisor Sandovall submitted a substitute motion bearing the same title.

1/29/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/7/2008.

PROPOSED ORDINANCES

080120 [Settlement of City's Lawsuit Against Sempra Energy, Sempra

Energy Trading Corp., Southern California Gas Co. and San Diego Gas and Electric Co.]

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately $1,000,000 to the City from defendants Sempra Energy, Sempra Energy Trading Corp., Southern California Gas Co. and San Diego Gas and Electric Co. (City Attorney)

1/18/08, RECEIVED AND ASSIGNED to Rules Committee.

080123 [Settlement of lawsuit and appropriating a portion of the proceeds - Department of Elections]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, against Election Systems and Software, Inc., on November 20, 2007 in San Francisco Superior Court, Case No. CGC 07-469371, entitled City and County of San Francisco, et al. v. Election Systems & Software, Inc, and appropriating $1,130,000.00 of the proceeds to the Department of Elections. (City Attorney)

1/18/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080125 **[Jurisdictional Property Transfer - Portions of Sue Bierman Park at Washington and Clay Streets (Block 0203, Lot 014)]**

Ordinance transferring jurisdiction of reserved portions of Sue Bierman Park located at Washington and Clay Streets (Block 203, Lot 014) from the Department of Public Works to the Recreation and Park Department; and adopting findings that the transfer is consistent with the General Plan and Section 101.1 of the Planning Code. (Real Estate Department)

1/17/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080126 **[Planning Code-Amending Article 11 Designation of 545-547 Mission Street]**

Draft ordinance amending the designation of 545-547 Mission Street (Assessor's Block 3721, Lot 082) from Category V (Unrated) to Category III (Contributory) under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

1/14/08, ASSIGNED UNDER 30 DAY RULE to Land

Use and Economic Development Committee, expires on 2/13/2008.

PROPOSED RESOLUTIONS

080078 [Airport Concession Lease]

Resolution approving Amendment No. 3 to the Clear Channel Outdoor, Inc. Lease Agreement for the Airport Advertising Program at San Francisco International Airport Lease No. 00-0408 between Clear Channel Outdoor, Inc. dba Clear Channel Airports and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

1/10/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080079 [Airport Environmental Review]

Resolution adopting CEQA Findings Related to the Terminal 2/ Boarding Area D Renovation Project at San Francisco International Airport. (Airport Commission)

1/11/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080121 [Lease of Real Property - 1390 Market Street]

Resolution authorizing the exercise of a five-year option to extend the lease of approximately 25,939

square feet of space at 1390 Market Street for the Department of Public Health. (Real Estate Department)
(Fiscal Impact.)
1/18/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080122 [Approval of Mental Health Services Act (MHSA) Agreement and authorization to designate the Director of Community Behavioral Health Services (CBHS) to sign said agreement]

Resolution approving the Mental Health Services Act Contract No. 07-77338-000, incorporating Community Program Planning Funds in FY04-05 and Community Services and Supports Funds for Fiscal Years 05-08, with the Department of Mental Health for $18,922,386 and authorizing the San Francisco Department of Public Health (SFDPH) - CBHS Director to sign said agreement and any and all amendments in the future, including increases to add other components of MHSA. (Public Health Department)
1/15/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080124 [Department of Elections amendment to current voting systems contract with Sequoia Voting Systems, Inc.]

Resolution approving an amendment to the existing contract between the City and County of San Francisco, through its Department of Elections, and Sequoia Voting Systems, Inc., to pay Sequoia $1,130,000 rather than transfer to Sequoia the City's AutoMARK ballot marking devices, in connection with a settlement of litigation by the City against Elections System & Software involving those devices. (Elections Department)
1/18/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

- *1675 Fulton*
- *1689-99 Fulton*
- *1799 Fulton*
- *2000 McAllister*
- *750 Central (sidegate of property)*
- *1835 Ellis*
- *500 Baker*
- *550-552 Octavia*
- *539 Octavia*
- *440 Ivy*

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

- *Southwest corner of Divisadero and Oak*
- *Southeast corner of Fulton and Lyon*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:

Mailboxes

- *Southeast corner of McAllister and Pierce*
- *Northwest corner of Scott and Turk*

Garbage Cans

- *Southwest corner of Broderick and Golden Gate*
- *Southwest corner of Grove and Gough*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property at the following locations:

Emergency Boxes

- *Northeast corner of Fulton and Lyon*
- *Southwest corner of Oak and Steiner*
- *Northwest corner of Pierce and Ellis*
- *Northwest corner of Turk and Central*
- *Southeast corner of Golden Gate and McAllister*
- *Northeast corner of Golden Gate and Broderick*

Curbside

- *Northwest corner of Golden Gate and Broderick*

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the metal utility poles at the following locations:

- *Northeast corner of Fillmore and Eddy*
- *Southwest corner Central and McAllister*
- *All poles at the intersection of Pierce and Golden Gate*
- *All poles at the intersection of Turk and Broderick*
- *Various poles on Turk between Divisadero and Broderick*
- *Near 1718 Golden Gate*

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:
Phone Switch Boxes

- *Northeast corner of Fulton and Broderick*
- *Southeast corner of McAllister and Broderick*
- *Southwest corner of Golden Gate and Lyon*
- *Northeast corner of Oak and Steiner*
- *Northeast corner of Oak and Lyon*

From: Supervisor Mirkarimi
To: Director, Redevelopment Agency
Requesting/Inquiring: Requesting the San Francisco Redevelopment Agency to report on the status of removing graffiti from the following locations:

- *Property at northeast corner of Scott and Eddy*
- *1345 Turk Street*

From: Supervisor McGoldrick
To: City Attorney

Requesting/Inquiring: Supervisor McGoldrick, in order to comply with the declaration of policy adopted by voters in November 2007, requests the City Attorney to draft legislation that would require property owners to remove illegal wheat paste posters within 72 hours of notice and increase penalties (through fines among other things) levied on violators and repeat violators. Additionally, the Supervisor requests the City Attorney draft legislation authorizing the Department of Public Works to immediately abate the illegal wheat pasted blight if compliance is not met in 72 hours, charge the costs to the property owner and escalate penalties against the property owner in terms of fees, fines, costs of abatement and possible permit withdrawing/withholding case by case.
From: Supervisor McGoldrick
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft legislation to amend the administrative code to reflect Prop K which passed in November 2007.
From: Supervisor Sandoval
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Inquiring into the feasibility of installing a 4-way stop sign to stop traffic at the intersection of Naglee Avenue and Huron Avenue and further requesting that the Department of Parking and Traffic submit to Supervisor Sandoval's office, in writing, information on the number of accidents that have taken place at this intersection in the past three years.
From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: Please draft legislation to require lobbyists registered with the San Francisco Ethics Department to wear badges identifying themselves as lobbyists when they

conduct business at City Hall.

In Memoriams

Jerry De Jong - Supervisor Dufty
David John Creasey - Supervisor Alioto-Pier
Ernest F. Smith - Supervisor Maxwell
Reuben Smith - Supervisor Maxwell
Eleanor Valmore Ned - Supervisor Maxwell
Mary Lucille Bassett - Supervisor Mirkarimi
Rose Lou "Randi" Randolph - Supervisor Elsbernd
Stanley Melvin Friedman - Supervisor Elsbernd
Fjalar Viking Gullmes - Supervisors Elsbernd and Chu
Lenius "Linus" Black - Entire Board

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:46 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on February 26, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site /bdsupvrs_index.asp?id=4383For information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

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The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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February 05, 2008

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, February 5, 2008

2:00 PM

Legislative Chamber - Second Floor

Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*None.*
Members Absent:	*None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll Supervisor Maxwell was noted absent. There was a quorum present.
Supervisor Maxwell was noted present at 2:05 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Ammiano, seconded by Supervisor Dufty, moved to approve the January 8, 2008 and January 15, 2008 Board Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

071607 **[Trans Fat Free Program Ordinance]** **Supervisors Maxwell, Peskin, Ammiano, Alioto-Pier, McGoldrick, Daly**

Ordinance amending the San Francisco Health Code by adding Article 37, Sections 3701 through 3711, to: (1) encourage restaurants located in the City and County of San Francisco to discontinue the use of artificial trans fat in food served to customers by creating an incentive program, and (2) provide regulations for the voluntary trans fat free program.

Supervisor Daly requested to be added as a co-sponsor.

Enacted Number: 13-08

FINALLY PASSED

071512 [Juvenile Probation & Camps Funding Program Agreement- Juvenile Probation Department] **Supervisor Dufty**

Resolution authorizing the Juvenile Probation Department to participate in the Juvenile Probation & Camps Funding Program used to pay for direct services to children.

Enacted Number: 51-08

ADOPTED

080037 [Grant to support vocational services to mentally ill individuals] **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services to accept and expend retroactively a grant from the California Department of Rehabilitation in the total amount of $3,310,497, with a cooperative CBHS match of $895,980, for a budget total of $4,206,477, to provide vocational rehabilitation services to clients through a cooperative contract agreement for the period of July 1, 2007 through June 30, 2010, waiving indirect costs.

Enacted Number: 64-08

ADOPTED

080038 [Funding modification to **Supervisor**

support HIV vaccine and prevention research] **Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a subcontract modification from the Public Health Foundation Enterprises, Inc. (PHFE) to support the research of the San Francisco Vaccine and Prevention Unit (SFVPU) in the amount of $325,239; for the period of January 1, 2007 through December 31, 2007.

Enacted Number: 52-08

ADOPTED

080044 **[Grant funding for a drug court in the San Francisco Dependency Court]** **Supervisor Chu**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant increase in the amount of $287,177, with a local general fund match of $28,718, for a budget total of $315,895, from the California Department of Alcohol and Drug Programs' (DADP) Comprehensive Drug Court Implementation (CDCI) to provide funding for a drug court in the San Francisco Dependency Court; for the period of July 1, 2007 through June 30, 2008.

Enacted Number: 50-08

ADOPTED

080045 [Grant funds to improve and expand substance abuse treatment services] **Supervisor Chu**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant from the California Department of Alcohol and Drug Programs' (DADP) Comprehensive Drug Court Implementation (CDCI) in the total amount of $713,132, with a local general fund match of $142,627, for a budget total of $855,759 to improve and expand substance abuse treatment services for adult felon drug court clients; for the period of January 1, 2007 through December 31, 2008.

Enacted Number: 49-08

ADOPTED

080046 [Accept and Expend CALFED Water Use Efficiency Grant Funds] **Supervisor Chu**

Resolution authorizing the San Francisco Public Utilities Commission to retroactively accept and expend a CALFED Water Use Efficiency Grant in the amount of $200,000 through the United States Bureau of Reclamation.

Enacted Number: 53-08

ADOPTED

Recommendation of the Land Use and Economic Development Committee

071581 [Changing the official sidewalk width - Townsend Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1576 to change the official sidewalk width on the northerly side of Townsend Street between 6th and 7th Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1 and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)
(DPW Order No. 177,191)

Enacted Number: 16-08

FINALLY PASSED

Recommendations of the Public Safety Committee

080049 [Accept and Expend FY 07 Urban Areas Security Initiative Grant and Amend Annual Salary Ordinance, FY 2007-2008] **Supervisor Elsbernd**

Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco as the primary grantee for the combined Bay Area Urban Area ("Super UASI" or "SUASI") region and as the fiscal agent for the SUASI Approval Authority, to retroactively accept and expend an Urban Areas Security Initiative ("UASI") grant in the amount of $27,304,000 from the United States Department of Homeland Security, through the California Governor's Office of Homeland Security; amending Ordinance No. 175-07 (Annual Salary Ordinance, FY 2007-2008) to reflect the extension of eight grant-funded positions at the following Departments: Emergency Management; Police; Fire; Health; and Sheriff; and amending Ordinance No. 175-07 (Annual Salary Ordinance, FY 2007-2008) to reflect the addition of six grant-funded positions at the Department of Emergency Management.

Enacted Number: 15-08

FINALLY PASSED

080050 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice] **Supervisor Elsbernd**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of $139,366 from the California Governor's Office of Emergency Services (OES) Anti-Drug Abuse Enforcement Program (ADA) for the purpose of reducing drug related crime through a coordinated approach.

Enacted Number: 54-08

ADOPTED

080059 [Accept-Expend Federal Grant - Airport Commission] **Supervisor Elsbernd**

Resolution authorizing the Airport Commission to enter into an Other Transaction Agreement (OTA) with the Department of Homeland Security/Transportation Security Administration (TSA) to accept and expend federal funds for the installation of in-line explosive detection baggage system improvements in Terminal One of the San Francisco International Airport for an approximate amount of 75% of the project cost, not to exceed $2,300,000.

Enacted Number: 48-08

ADOPTED

Recommendations of the Rules Committee

080002 [Settlement of Lawsuit - Daniel Worrell]

Ordinance authorizing settlement of the lawsuit filed by Daniel Worrell against the City and County of San

Francisco for $585,000; the lawsuit was filed on August 25, 2006 in San Francisco Superior, Case No. 455-569; entitled Daniel Worrell v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 17-08

FINALLY PASSED

080015 [Settlement of Lawsuit - Francis Kelly et al.]

Ordinance authorizing the settlement of a lawsuit filed by Francis Kelly et al., acting for themselves and others similarly situated, against the City and County of San Francisco for $755,000.00 plus accrued interest; the lawsuit was filed on February 25, 2005, in the United States District Court for the Northern District, Case No. C05-1287, entitled Francis Kelly, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 14-08

FINALLY PASSED

080027 [Appointment - Commission on the Aging Advisory Council]

Motion appointing Patricia Webb, term ending March 31, 2009, to the Commission on the Aging Advisory Council.

Patricia Webb, succeeding Jim Dorenkott, term expired, seat 10, must be a nominee of District 5

Supervisor, for the unexpired portion of a two-year term ending March 31, 2009.

Enacted Number: M08-15

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

071593 [Agreement with King Security Services Inc. for Armed and Unarmed Security Guard Services] **Supervisor Elsbernd**

Resolution authorizing a three year agreement, with option to renew for up to an additional two years, with King Security Services, Inc. for an amount not to exceed $17,100,000.

(Supervisor Daly dissented in Committee.) (Fiscal

Impact.)

Continued to February 26, 2008

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Rules Committee With Recommendation "Do Submit"

071664 [Charter Amendment - Retired employees convicted of crimes involving moral turpitude in connection with their employment to forfeit any right to pension benefits funded from employer contributions] **Supervisor Elsbernd**

Charter Amendment (First Draft) to amend Sections A8.584-9, A8.586-12, A8.587-9, A8.588-12, A8.597-12 and A8.598-12, and by adding Sections A8.584-13, A8.586-16, A8.587-14, A8.588-16, A8.597-16 and A8.598-16 to reaffirm the voters' intent that members convicted of a crime involving moral turpitude in connection with their duties as an officer or employee of the City and County, the school district, the college district, or the Superior Court of California, County of San Francisco, shall forfeit any right to a retirement benefit funded, in whole or in part, from contributions by the City and County, the school district, or the college district.

Supervisor Sandoval, seconded by Supervisor McGoldrick, to amend by replacing the word "crime" with the word "felony" throughout the legislation.
Motion to amend failed by the following vote:
Ayes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval
Noes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Peskin

ORDERED SUBMITTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

NEW BUSINESS

Recommendations of the Budget and Finance Committee

080051 [Emergency contract to design and install permanent high voltage electrical distribution system at San Francisco General Hospital]

Resolution approving an emergency public work contract under San Francisco Administrative Code section 6.60, to install a new, permanent high

voltage electrical distribution system at San Francisco General Hospital. (Public Works Department)
(Fiscal Impact.)

Enacted Number: 55-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080052 [Airport Lease and Operating Agreement]

Resolution approving the exercise of the second of five one-year options to extend the term of Smarte Carte, Inc.'s Luggage Cart Lease and Operating Agreement No. 01-0343. (Airport Commission)
(Fiscal Impact.)

Enacted Number: 56-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080056 [Approving a modified term in excess of ten years for Consultant Contract ENEN99000032-01 with TRC-Imbsen & Associates, for services related to the Fourth

Street Bridge]

Resolution approving a modified term in excess of ten years for Consultant Contract ENEN99000032-01with TRC-Imbsen for design professional services related to the Fourth Street Bridge Seismic Retrofit and Rehabilitation project, under Charter Section 9.118(b). (Public Works Department)

Enacted Number: 57-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080123 [Settlement of lawsuit and appropriating a portion of the proceeds - Department of Elections]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, against Election Systems and Software, Inc., on November 20, 2007 in San Francisco Superior Court, Case No. CGC 07-469371, entitled City and County of San Francisco, et al. v. Election Systems & Software, Inc, and appropriating $1,130,000.00 of the proceeds to the Department of Elections. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080124 [Department of Elections amendment to current voting systems contract with Sequoia Voting Systems, Inc.]

Resolution approving an amendment to the existing contract between the City and County of San Francisco, through its Department of Elections, and Sequoia Voting Systems, Inc., to pay Sequoia $1,130,000 rather than transfer to Sequoia the City's AutoMARK ballot marking devices, in connection with a settlement of litigation by the City against Elections System & Software involving those devices. (Elections Department)

Continued to February 12, 2008

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Budget and Finance Committee Without Recommendation

071526 [Public Employment - Entertainment Commission] **Supervisors Dufty,**

		Alioto-Pier, Daly

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) to reflect the addition of one position (.33 FTE) Class 0923 - Manager II in the Entertainment Commission for the Office of Special Events.

Supervisor Daly requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 2 - Elsbernd, Peskin

080092	**[De-appropriating $45,612 from Economic and Workforce Development and Appropriating $45,612 for Special Events Promotion in the Entertainment Commission for Fiscal Year 2007-2008]**	**Supervisors Dufty, Alioto-Pier, Daly**

Ordinance de-appropriating $45,612 of Community Based Organization Services from the Department of Economic and Workforce Development, and appropriating $45,612 for one 0923 Manager II position (0.33 FTE) for special events promotion in the Entertainment Commission for Fiscal Year 2007-2008.

Supervisors Alioto-Pier and Daly requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 2 - Elsbernd, Peskin

Recommendation of the Public Safety Committee

080058 [Renew Joint Power and Revolving Fund Contract with the State] **Supervisor Elsbernd**

Resolution authorizing the Department of the District Attorney to enter into a Joint Power and Revolving Fund Contract with the California Victim Compensation and Government Claims Board to: (1) contract for, accept and expend up to $1,356,678 allocated from the California Victim Compensation and Government Claims Board for the assistance of victims and witnesses of crime for the period of July 1, 2007 through June 30, 2009; and (2) renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving loan fund in the amount of $75,000 to be used to pay for verified funeral/burial expenses and emergency relocation for victims of domestic violence and sexual assault for an additional two years from July 1, 2007 through June 30, 2009.

Enacted Number: 47-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Rules Committee

071668 [Reauthorization of Food Security Task Force] **Supervisor Maxwell**

Ordinance amending the San Francisco Health Code by amending Sections 470.1 and 470.2, to extend the sunset provisions of the Food Security Task Force to January 31, 2009, and change the organizations from which members must be appointed.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Rules Committee Without Recommendation

071471 [Charter Amendment - Minimum qualifications for members of City bodies that oversee and **Supervisor Alioto-Pier**

administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws]

Charter Amendment (First Draft) to add Section 15.104 to create minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws.

Continued to February 12, 2008

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M.

080010 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 652 Duncan Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 19, 2007 that a project at 652 Duncan Street (Building Permit Application No. 2005.12.23.0995, Case No. 2006.0665D) is exempt from environmental review under the California Environmental Quality Act

(CEQA). The proposed project is a horizontal addition of two bedrooms and bathroom on a first floor and a dining room on a second floor, a vertical addition of a bedroom and bath, renovation of a kitchen and seismic improvements to a single-family dwelling, located in a RH-1 (Residential House, One-Family) District and a 40-X Height and Bulk District (Assessor's Block 6589, Lot 002J).
(Appellant: Stephen M. Williams)
(Filed December 7, 2007; companion measure to 080011, 080012, 080013; District 8.)

The President inquired as to whether any member of the public wished to address the Board members.
Stephen Williams; Attorney for the appellant
Sheila McElroy; Property historian for the appellant
Ms. McCarney; support of the appellant
Female speaker; support of the appellant
Phyllis Lyon; support of the appellant
Mike Miller; support of the appellant
Theodora Morrow; support of the appellant
Female speaker; support of the appellant
Heather Beal; support of the appellant
Jonathan Walker; support of the appellant
Paula Pagado; support of the appellant
Dan Goddell; support of the appellant
Bill Wycko, Mark Lleullan and Michael Smith Planning Department Representatives reviewed with the Board the Planning Departments recommendation.
Arnie Lerner; Property historian for the project sponsor
Brett Gladstone, Attorney for the project sponsor

Chad Hamilton; Architectect for the project sponsor
Eric, Dane and Kristen Hansen; project sponsors
Pastor Boyd; support of the project sponsor
David Gellman; support of the project sponsor
Mena Cavman; support of the project sponsor
Winnie Kelly; support of the project sponsor
Male speaker; support of the project sponsor
Reuben Etchinova; support of the project sponsor
Ron Miguel; support of the project sponsor
Marna Clouder; support of the project sponsor
Sue Kramer; support of the project sponsor
Anthony Trask; support of the project sponsor
Allison Carlson; support of the project sponsor
Tom Gargaosky; support of the project sponsor
Female speaker; support of the project sponsor
Rebuttal:
Stephen Williams, Attorney for the appellant
The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

080011 [Affirming the categorical exemption issued for the 652 Duncan Street project]

Motion affirming the determination by the Planning Department that the 652 Duncan Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor McGoldrick, moved to table this item.
Motion to table this matter failed by the following vote:
Ayes: 5 - Ammiano, Daly, Dufty, McGoldrick, Mirkarimi,
Noes: 6 - Alioto-Pier, Chu, Elsbernd, Maxwell, Peskin, Sandoval

Enacted Number: M08-14

APPROVED by the following vote:
Ayes: 7 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, Peskin, Sandoval
Noes: 4 - Daly, Dufty, McGoldrick, Mirkarimi

080012 [Disapproving the categorical exemption issued for the 652 Duncan Street project]

Motion disapproving the determination by the Planning Department that the 652 Duncan Street project is categorically exempt from environmental review under the California Environmental Quality

Act. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor McGoldrick, moved to approve this item.
Motion to approve this matter failed by the following vote:
Ayes: 5 - Ammiano, Daly, Dufty, McGoldrick, Mirkarimi,
Noes: 6 - Alioto-Pier, Chu, Elsbernd, Maxwell, Peskin, Sandoval

TABLED by the following vote:
Ayes: 7 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, Peskin, Sandoval
Noes: 4 - Daly, Dufty, McGoldrick, Mirkarimi

080013 [Preparation of findings related to the 652 Duncan Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 652 Duncan Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor McGoldrick, moved to approve this item.
Motion to approve this matter failed by the following vote:
Ayes: 5 - Ammiano, Daly, Dufty, McGoldrick, Mirkarimi,
Noes: 6 - Alioto-Pier, Chu, Elsbernd, Maxwell, Peskin, Sandoval

Enacted Number: M08-13

APPROVED by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, Peskin, Sandoval

Noes: 4 - Daly, Dufty, McGoldrick, Mirkarimi

COMMITTEE REPORTS

071589 [Charter Amendment - City Elections In Even-Numbered Years] **Supervisor McGoldrick**

Charter Amendment (Second Draft) to amend Section 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

Continued to February 12, 2008

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071590 [Charter Amendment - Providing **Supervisor**

	for the election of members of the Municipal Transportation Agency's Board of Directors, their compensation, and their service as members of the Parking Authority Commission]	**McGoldrick**

Charter Amendment (Second Draft) to amend Sections 8A.102, 8A.112, 13.101, 13.101.5, and 15.105 to provide for the election of members of the Municipal Transportation Agency's Board of Directors, setting their compensation, and fixing their status as members of the Parking Authority Commission.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved to re-refer this matter to the Rules Committee.

071591	**[Charter Amendment - City policy regarding diversity on City boards and commissions]**	**Supervisor McGoldrick**

Charter Amendment (Fourth Draft) to amend Section 4.101 to make it City policy to consider and as appropriate support the nomination, appointment and confirmation of female, minority, and disabled candidates to fill seats on appointive boards, commissions, or advisory bodies.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE

BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Continued to February 12, 2008 with the Board Sitting as a Committee of the Whole.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071663 [Charter Amendment - New hire qualifications for retiree health care; improved retirement benefits for miscellaneous employees retiring on or after January 10, 2009]

Mayor, Supervisors Elsbernd, Alioto-Pier, Mirkarimi, Chu

Charter Amendment (Second Draft) to add Sections A8.594 and A8.594-1 through A8.594-14 to provide retirement benefits for employees hired on and after January 10, 2009, who have never been members of the Retirement System before that date and to amend Sections A8.509, A8.584, A8.584-1, A8.587, and A8.587-1, to include certain rehired City employees as members of those plans; amend

Section A8.428 to increase the years of service required for new employees to qualify for subsidized health benefits at retirement and to adjust the formula for calculating retiree health benefit subsidies for those new employees; amend Section 9.113.5 to pre-fund retiree health benefits for City employees; add Sections 12.204, A8.409-7, A8.432 and A8.590-8 and re-number Section A8.432 as Section A8.433 and amend it to fund retiree health benefits for the City and County of San Francisco and other participating employers.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Continued to February 12, 2008 with the Board Sitting as a Committee of the Whole.

Supervisor Alioto-Pier requested to be added as a co-sponsor.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin,

Sandoval

071667	**[Charter Amendment - Requiring Board confirmation of appointments to the Public Utilities Commission; setting qualifications for members of the Commission]**	**Supervisors Maxwell, Dufty, Peskin, Mirkarimi, Ammiano, Elsbernd**

Charter Amendment (Second Draft) to amend Section 4.112 to require confirmation by the Board of Supervisors of the Mayor's appointments to the Public Utilities Commission and to set qualifications for members of the Public Utilities Commission.

Continued to February 12, 2008

Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071567	**[Urging the Recreation and Park Commission to enter a grant agreement with a non-profit to enable the organization to develop a long-term funding and operational plan for a community-based youth and teen arts program]**	**Supervisor Sandoval**

Resolution urging the Recreation and Park Commission to enter a grant agreement with a community non-profit to enable the organization to develop a long-term funding and operational plan for a community-based youth and teen arts program in the Geneva Office Building.

Enacted Number: 46-08
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit *applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

Abdullah Megaheed; expressed concern issues relating to the homeless
James Chaffee; expressed concern with issues relating to the SF Public Library
Male speaker; expressed concern with issues relating to the City Commissions
Walter; shared with the Board memorabilia
Ann Garrison; expressed concern with issues relating to public comment and with Blue Angels flying over San Francisco
Richard McGeary; expressed concern with issues relating to global warning
Nancy Gin; expressed concern with issues relating to the Director of the Health Service System leaving his position
Geri Meister; expressed concern with issues relating to the Director of the Health Service System leaving his position
Claire Dunn; expressed concern with issues relating to the Director of the Health Service System leaving his position
Edward Rothman; expressed concern with issues relating to the Director of the Health Service System leaving his position

Male speaker; expressed concern with issues relating to an official misconduct against Supervisor Peskin from the Sunshine Ordinance Task Force
Karen Breslin; expressed concern with issues relating to the Director of the Health Service System leaving his position
Gerald DeRyan; expressed concern with issues relating to the Director of the Health Service System leaving his position
Silvia Johnson; expressed concern with issues relating to the Federal Government

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

080149 [Legislative Analyst Request for Best Zoo Practices] **Supervisor McGoldrick**

Motion requesting the Legislative Analyst to draft a report analyzing the different types of zoos in the world and discuss some of the best practices in terms of animal well being (health, living space, etc), education and species conservation efforts. Also, compare the San Francisco Zoo in terms of the above best practices.

APPROVED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

080171 [Commending Jean Shelton] Supervisor Chu

Resolution proclaiming February 13, 2008 as Jean Shelton Day in San Francisco.

Enacted Number: 58-08

ADOPTED

080172 [Accept and expend gift in the amount of $15,000] Supervisor Chu

Resolution accepting and expending a gift in the amount of $15,000 from Visa America to the Recreation and Park Department to support and expand the Recreation and Park Department's volleyball program and provide scholarships for San Francisco youth to participate.

Enacted Number: 59-08

ADOPTED

080173	**[Accept-Expend Federal Grant - Office of the Chief Medical Examiner]**	**Supervisors Elsbernd, Dufty**

Resolution authorizing the Office of the Chief Medical Examiner to accept and expend a grant in the amount of $95,000 from the Paul Coverdell Forensic Science Improvement Grants Program of the Department of Justice.

Enacted Number: 60-08

ADOPTED

080174	**[Urging MTA to approve temporary "Street Closure to Vehicular Traffic" on O'Farrell Street between Steiner and Fillmore for Farmers' Market]**	**Supervisor Mirkarimi**

Resolution urging the Municipal Transportation Authority to enact temporary "Street Closure to Vehicular Traffic" regulations on O'Farrell Street between Steiner Street and Fillmore Street from 7 A.M. to 2 P.M. on every Saturday between April 26, 2008 and November 22, 2008.

Enacted Number: 61-08

ADOPTED

080175 **[Peace Corps Week - February 25 - March 3, 2008]** **Supervisor Peskin**

Resolution proclaiming February 25 - March 3, 2008 as Peace Corps Week in San Francisco.

Enacted Number: 62-08

ADOPTED

080177 **[Opposing Propositions 94, 95, 96, and 97]** **Supervisors Peskin, Ammiano, Daly, Mirkarimi, Sandoval, McGoldrick, Maxwell, Dufty**

Resolution opposing Propositions 94, 95, 96, and 97 on the February 5th General Election.

Enacted Number: 67-08

ADOPTED

080169 **[Suspension of Rule 6.13 regarding use of Legislative Chamber]** **Supervisor Peskin**

Motion suspending Rule 6.13 of the Rules of Order of the Board of Supervisors that limits the use of the Legislative Chamber to governmental purposes in order to permit filming activity by Milk, LLC and Groundswell Productions in the Chamber during a three-day period: February 28, February 29 and March 1, 2008.

Enacted Number: M08-11

APPROVED

080170 [Access to Board of Supervisors Chamber] **Supervisor Peskin**

Motion directing the Clerk of the Board of Supervisors to negotiate with Milk, LLC and Groundswell Productions for the terms of access and use of the Board of Supervisors Chamber for set up and pre-lighting, filming, and clean-up (collectively "Filming Activity"), directing the Clerk of the Board to consult with the Executive Director of the Film Commission in ensuring that the terms of the Use Agreement between the City and Groundswell Productions are consistent with the City's general practices with respect to filming on City property and that such Use Agreement includes any additional provisions necessary to ensure proper treatment and protection of the Board of Supervisors Chamber, establishing that such filming activity by Groundswell Productions shall not interfere with the business of the Board of Supervisors, and mandating that Groundswell Productions' activity shall be subject to the special guidelines for use of the Board of Supervisors Chamber developed by the Clerk of the Board of Supervisors, in consultation with the City Architect, the Executive Director of the Film Commission and the City Attorney.

Enacted Number: M08-12

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed From the Without Reference to Committee Agenda

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

080163	**[Urging the Mayor to Return Transit Funding to the Municipal Transportation Agency]**	**Supervisors Peskin, Daly, Ammiano, Mirkarimi, Maxwell, Sandoval**

Resolution urging Mayor Gavin Newsom to return to the Municipal Transportation Agency positions and funds that are not directly related to the operations of the Agency.

Amended on page 2, line, 7, by replacing "has violated" with "may violate".
Supervisors Daly, Ammiano, Mirkarimi, Maxwell and

Sandoval requested to be added as co-sponsors.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Daly requested that this matter be severed so that it might be considered separately.

080176 [Dr. Philip R. Day, Jr. Day - February 7, 2008] **Supervisor Peskin**

Resolution proclaiming February 7, 2008 to be Dr. Philip R. Day, Jr. Day in San Francisco.

Enacted Number: 63-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

080189	**[Landmark Designation of 451 Jersey Street (Carnegie Noe Valley/Sally Brunn Branch Library)]** Ordinance designating 451 Jersey Street, the Carnegie Noe Valley/Sally Brunn Branch Library, (Assessor's Block Number 6539, Lot Number 034), as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. 2/5/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. (Supporting documents: Planning Resolution 17508, with General Plan and Environmental findings; Landmarks Resolution #619)	**Supervisor Dufty**
080193	**[Appropriating $2,263,846 of General Fund Reserve for Indigent Defense Expenses in the Superior Court for Fiscal Year 2007-2008]** Ordinance appropriating $2,263,846 of General Fund Reserve to fund unanticipated increased costs of indigent defense expenses associated with People v. Bell as well as adult criminal and juvenile	**Supervisor Maxwell**

delinquency cases in the Superior Court of California for Fiscal Year 2007-2008.

2/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080196	**[Appropriating $246,000 of General Fund Reserve to the Human Resources Department to fund the Workers Compensation Clinic at San Francisco General Hospital]**	**Supervisors Mirkarimi, Ammiano**

Ordinance appropriating $246,000 from the General Fund Reserve to the Human Resources Department to fund the Workers Compensation Clinic at San Francisco General Hospital for Fiscal Year 2007-2008.

(Fiscal Impact.)

2/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

080188	**[Hiring of Recreation Directors]**	**Supervisors Ammiano, Dufty, Peskin**

Resolution urging the Mayor to reinstate hiring of all vacant Recreation Director positions.

2/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080190 **[Approval of Amendment to Security Guard Services Contract]** **Supervisor Elsbernd**

Resolution approving Amendment to Armed and Unarmed Security Services Contract for Municipal Railway Revenue and Cost Accounting Divisions. (Fiscal Impact.)

2/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080191 **[Mortgage Revenue Bonds]** **Supervisor Mirkarimi**

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $12,000,000 for 850 Broderick Street (Zygmunt Arendt House); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $60,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $12,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

2/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests that the item be referred to Budget and Finance Committee.

080192 **[Lease Disposition and Development Agreement and Lease for Property Located at 850 Broderick Street]** **Supervisor Mirkarimi**

Resolution approving and authorizing the Mayor's Office of Housing to enter into a lease disposition and development agreement for a long term ground lease with Arendt House, L.P., a California Limited Partnership, for the development and operation of affordable housing and associated uses on certain real property located at 850 Broderick Street and authorizing the Director of Property to enter into the lease.

2/5/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. Sponsor requests that the item be referred to Land Use and Economic Development Committee.

080194 [Reallocating state grant funds for capital projects in Golden Gate Park] **Supervisor Alioto-Pier**

Resolution authorizing reallocation of $11,928,060 in Proposition 40 grant funds among 14 capital projects in Golden Gate Park, and, if necessary, among five alternative projects.

2/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080197 [Supporting Assemblyman Mark Leno's efforts to establish a State Holiday on Harvey Milk's Birthday] **Supervisors Ammiano, Dufty**

Resolution supporting Assemblyman Leno's efforts to establish a non-fiscal State Holiday on Harvey Milk's Birthday, May 22.

2/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080198 [Condemning Drug Enforcement Agency Actions Against Property Owners Leasing Space to Medical Cannabis Dispensaries] **Supervisors Daly, McGoldrick, Mirkarimi, Ammiano, Peskin**

Resolution reaffirming that the City and County of San Francisco is a sanctuary for medical cannabis, an integral component of which are property owners who, pursuant to City regulations, lease space to authorized Medical Cannabis Dispensaries ("MCD"s) that provide needed services to qualified medical cannabis patients and their caregivers, and that the City vehemently condemns the Drug Enforcement Agency (DEA) for issuing sensational letters to these property owners threatening asset forfeiture and imprisonment.

2/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080199 **[Accept-Expend Grant - Public Defender]** **Supervisor Mirkarimi**

Resolution authorizing the Office of the Public Defender to accept and expend a grant in the amount of $25,000 from The San Francisco Foundation for a senior clerk position and consulting services to support the implementation of the Safe Communities Reentry Council's strategic plan.

2/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080200 **[Requesting traffic calming and pedestrian and bicyclist safety improvements on Masonic Avenue from Geary Avenue to Haight Street]** **Supervisors Mirkarimi, McGoldrick, Dufty**

Resolution requesting the Municipal Transportation Agency to work with other city agencies to develop a timeline and funding plan for a comprehensive planning process on Masonic Avenue from Geary Boulevard to Haight Street including traffic calming and pedestrian and bicycle safety improvements.

2/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080201 [Extending Deadline for the Annual Report on Community Safety Cameras] **Supervisor Mirkarimi**

Resolution approving an extension on the deadline for the annual report to the Board of Supervisors on all community safety cameras located in the City and County of San Francisco from January 17, 2008 to March 20, 2008, one year from the date of installation of the cameras.

2/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080202 [Policy regarding bay infill at San Francisco International Airport] **Supervisors Peskin, Maxwell**

Resolution establishing policy on bay infill for runway expansion at San Francisco International Airport.

2/5/08, REFERRED FOR ADOPTION WITHOUT

COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080203 [Issuance and Sale of Revenue Bonds - Aspen South Hills] Supervisor Peskin

Resolution approving the issuance and sale of tax-exempt bonds by the Association of Bay Area Governments in an aggregate principal amount not to exceed $4,500,000 for financing the acquisition and rehabilitation of Aspen South Hills, subject to the policies for such approvals adopted by the Board of Supervisors in Ordinance No. 36-07.

2/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080204 [Grand Jury Awareness Month] Supervisors Peskin, Dufty

Resolution declaring February 2008 as Civil Grand Jury Awareness month in San Francisco.

2/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080205 [Accept and expend gift in the amount of $25,000 - Recreation and Park Department] Supervisor Dufty

Resolution accepting and expending a gift-in-place, valued at up to $25,000 from the United States Tennis Association to the Recreation and Park

Department to initiate funding for the planning for the renovation of the Golden Gate Park Tennis Center in Golden Gate Park.

2/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080206 [Gift to the Recreation and Park Department - $16,000] **Supervisor Dufty**

Resolution accepting and expending a gift of $16,000 from the Friends of Noe Courts via the Parks Trust to the Recreation and Park Department for the play area at Noe Valley Tennis Courts.

2/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests For Hearing

080185 [Laguna Honda Hospital early census reduction and closure of Clarendon Hall] **Supervisor Ammiano**

Hearing on Laguna Honda Hospital early census reduction and closure of Clarendon Hall.

2/5/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080186 [Implementation by the Municipal Transportation Agency **Supervisor Mirkarimi**

of traffic signal phase improvements at the Fell/Masonic intersection]

Hearing request regarding status of implementation by the Municipal Transportation Agency of traffic signal phase improvements at the Fell/Masonic intersection as requested in Board Resolution No. 388-07.

2/5/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080187 [Controller's 6-Month Budget Status Report for FY 2007-08] **Supervisor Peskin**

Hearing on the Controller's 6-Month Budget Status Report for FY 2007-08.

2/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080209 [FY 2008-09 Draft Budget for the Board of Supervisors]

Hearing on the Draft FY 2008-09 Board of Supervisors Budget. (Clerk of the Board)

2/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions

080195 [Extending the Joint City and School District Committee for **Supervisors Peskin, Dufty**

one year]

Motion amending Rule 5.7 of the Board of Supervisors' Rules of Order to extend the term of the Joint City and School District Select Committee for one year.

2/5/08, RECEIVED AND ASSIGNED to Rules Committee.

080207 [Appointment, Municipal Transportation Agency Board - Bruce Oka] **Mayor**

Motion confirming the appointment of Bruce Oka to the Municipal Transportation Agency Board of Directors, term ending March 1, 2012.

2/5/08, RECEIVED AND ASSIGNED to Rules Committee.

080208 [Appointment, Municipal Transportation Agency Board - Malcolm Heinicke] **Mayor, Supervisor Dufty**

Motion confirming the appointment of Malcolm Heinicke to the Municipal Transportation Agency Board of Directors, term ending March 1, 2012.

2/5/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

080135 [Settlement of Lawsuit - Mark

Chambers]

Ordinance authorizing settlement of the class action lawsuit filed by Mark Chambers, et al. against the City and County of San Francisco on October 11, 2006 in the United States District Court for the Northern District of California, Case No. C06-06346 WHA, entitled, Chambers et al. v. City and County of San Francisco. (City Attorney)

1/24/08, RECEIVED AND ASSIGNED to Rules Committee.

080136 [Approving Settlement with the California Independent System Operator and adopting the First Amended and Restated Operating Agreement]

Ordinance authorizing settlement of proceedings initiated by the California Independent System Operator before the Federal Energy Regulatory Commission in Docket No. ER06-227-000 to establish operational, scheduling and settlement requirements for certain City electrical transmission transactions and adopting the First Amended and Restated Operating Agreement. (City Attorney)

1/25/08, RECEIVED AND ASSIGNED to Rules Committee.

080138 [Changing the official sidewalk width - Berry Street]

Ordinance amending Ordinance No. 1061 entitled

"Regulating the Width of Sidewalks" by adding thereto Section 1577 to change the official sidewalk width on the northerly side of Berry Street between 7th and DeHaro Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

1/23/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080141 [Waiver of Administrative Code section 6.64 to allow modification of Agreement No. CS-525A in an amount that exceeds one hundred-fifty percent of the original contract amount]

Ordinance granting the San Francisco Public Utilities Commission a waiver of Administrative Code section 6.64 to allow the contract amount of Agreement No. CS-525A with Olivia Chen Consultants to exceed one hundred-fifty percent of the original contract amount. (Public Utilities Commission)

1/25/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

080137 [Amending a contract with

anticipated expenditures in excess of $10 million]

Resolution approving the Tenth Amendment to the Agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for sludge hauling, extending the term of the contract by three (3) months to May 31, 2008 and increasing the total compensation to the Contractor by seven hundred fifty thousand dollars ($750,000) to thirteen million six hundred fifteen thousand dollars ($13,615,000), pursuant to San Francisco Charter Section 9.118(b). (Office of Contract Administration)

(Fiscal Impact.)

1/28/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080140 [Airport Professional Services Agreement for Construction Management Services for the Terminal 2/Boarding Area D Project with Anticipated Expenditures in Excess of $10 Million]

Resolution approving the Professional Services Agreement, Airport Contract 8757.9 - Construction Management Services for Terminal 2/Boarding Area D Renovations and Related Facilities between T2 Partners, a Joint Venture of Parsons Transportation Group, EPC Consultants, Inc., and the Allen Group, LLC, and the City and County of San Francisco,

acting by and through its Airport Commission, in an amount not to exceed $15,000,000, pursuant to San Francisco Charter Section 9.118(b). (Airport Commission)
(Fiscal Impact.)
1/25/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Elsbernd
To: Director, Municipal Transportation Agency
Requesting/Inquiring: Please find out if it is possible to install "NO TOUR BUS" signs on 16th Avenue and Moraga Streets. Also find out whether or not that signage would also apply to tour vans.
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

- *Southwest corner of Haight and Masonic (SF Bay Guardian)*
- *Northeast corner of Divisadero and Oak (SF Bay Guardian)*
- *Northeast corner of Haight and Shrader (SF Chronicle)*
- *Southeast corner of Haight and Clayton (SF Chronicle)*
- *Southeast corner of Haight and Masonic (SF Chronicle)*
- *Southwest corner of Haight and Broderick (SF Chronicle)*
- *Southeast corner of Stanyan and Parnassus (SF Chronicle)*

- *Northeast corner of Haight and Shrader (Advertiser)*
- *Northeast corner of Haight and Shrader (SF Daily)*
- *Southeast corner of Cole and Haight (Yahoo/Hot Jobs)*
- *Southeast corner of Cole and Haight (Onion)*
- *Southeast corner of Oak and Broderick (Onion)*
- *Southwest corner of Ashbury and Frederick (Real Estate Times)*

  From: Supervisor Mirkarimi
  To: Director, Department of Public Works
  Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:
- *4875 – 17th Street*
- *100 Block of Broderick (numerous potholes)*
- *Large sinkhole in the middle of Parnassus and Stanyan*
- *Intersection of Laguna and Fell*

  From: Supervisor Mirkarimi
  To: Director, Department of Public Works
  Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private properties locations:
- *701 Shrader*
- *1060 Cole*
- *806-808 Cole*
- *600 Stanyan*
- *1685-99 Haight*

  From: Supervisor Mirkarimi
  To: Director, Department of Public Works
  Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations: Metal

- *852 Clayton*
- *858 Clayton*
- *708 Ashbury*
- *635 Ashbury*
- *795 Buena Vista West*
  Wood
- *77 Central*
- *Southeast corner of Cole and Frederick (and metal box on pole)*
  From: Supervisor Mirkarimi
  To: Director, Department of Public Works
  Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the Emergency Boxes at the following locations:
- *Southwest corner of Lyon and Oak*
- *Northeast corner of Buena Vista West and Central*
  From: Supervisor Mirkarimi
  To: Director, Department of Public Works
  Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing the graffiti from mailboxes at the following location: Northeast corner of Gratten and Cole.
  From: Supervisor Mirkarimi
  To: Director, Department of Public Works
  Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following location: Clear Channel on the side of 1685-99 Haight, no permit visible and graffiti present.
  From: Supervisor Mirkarimi
  To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft amendments to the Rent Stabilization Ordinance to conform City Law to United States 9th Circuit Court of Appeals decision in Action Apartments vs. City of Santa Monica. Case No. 05-56533;D.C. No. CV-04-10343-AHM.
From: Supervisor Mirkarimi
To: Director, Planning Department
Requesting/Inquiring: Supervisor Mirkarimi is making the following inquiry.
The area of the civic center between the Asian Art Museum and the library could serve to connect UN Plaza and Civic Center Plaza.
I understand that there have been several plans dealing with the Fulton Mall, the last done in 1996 that very clearly lay out all the reasons to restore this public space.
I am attaching a copy of the 1996 report for reference and am inquiring as to the status of current development plans.
From: Supervisor Sandoval
To: Director, Department of Public Works
Requesting/Inquiring: Inquiring about a tree trimming and sidewalk repairs to the odd-numbered side of the 1550-1600 block of Alemany Blvd., from Francis Street to Santa Rosa Ave. Asking that the department make any and all sidewalk

In Memoriams

Ben Hattem - Supervisor Maxwell

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:08 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on February 26, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media

Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site /bdsupvrs_index.asp?id=4383For information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.
In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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February 12, 2008

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, February 12, 2008

2:00 PM

Legislative Chamber - Second Floor

Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE

MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:02 p.m. On the call of the roll Supervisors Alioto-Pier and McGoldrick were noted absent.
There was a quorum present.
Supervisors Alioto-Pier and McGoldrick were noted present at 2:03 p.m.

CONSENT AGENDA

Recommendations of the Rules Committee

071668 [Reauthorization of Food Security Task Force] **Supervisor Maxwell**

Ordinance amending the San Francisco Health Code by amending Sections 470.1 and 470.2, to extend the sunset provisions of the Food Security Task Force to January 31, 2009, and change the organizations from which members must be appointed.

Enacted Number: 19-08

FINALLY PASSED

080054 [Settlement of Lawsuits and Claims]

Ordinance authorizing settlement of claims made by Plaintiffs Kurt Bruneman, Tom Feledy, Narda Gillespie, Michael Hughes, Gregory Mar, Donna Meixner, Mark Osuna, Frederick Schiff, Mark Sullivan, Dennis Quinn, Donald Woolard, Michael Zurcher in a multi-party action against the City and County of San Francisco for $1,600,000.00, and City to credit Mark Sullivan with 125.5 compensation time hours; the three lawsuits for the above-mentioned plaintiffs were all filed in the United States District Court, Northern District, Case No. C03-4345 (filed on January 16, 2003 and entitled Frederick Schiff v. City and County of San Francisco, et al.), Case No. C04-2261 (filed on June 8, 2004 and entitled Narda Gillespie, et al. v. City and County of San Francisco, et al.), Case No. C04-2262 (filed on June 8, 2004 and entitled Mark Osuna v. City and County of San Francisco, et al.). (City Attorney)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080055 [Settlement of Lawsuit - Teresa Yeung]

Ordinance authorizing the settlement of a lawsuit filed by Teresa Yeung, against the City and County of San Francisco for $87,500.00; the lawsuit was filed on July 23, 2007, in San Francisco Superior Court, Case No. 07-465400, entitled Teresa Yeung v. City and County of San Francisco.

PASSED, ON FIRST READING

080120 [Settlement of City's Lawsuit Against Sempra Energy, Sempra Energy Trading Corp., Southern California Gas Co. and San Diego Gas and Electric Co.]

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos.

4221, 4224, 4226, and 4228); the settlement provides approximately $1,000,000 to the City from defendants Sempra Energy, Sempra Energy Trading Corp., Southern California Gas Co. and San Diego Gas and Electric Co. (City Attorney)

PASSED, ON FIRST READING

080133 [Appointment - In-Home Supportive Services Public Authority]

Motion appointing Luis Calderon, term ending March 1, 2009, to the In-Home Supportive Services Public Authority.

Luis Calderon, succeeding Margaret Coster, term expired, seat 11, must be a consumer between the ages of 18 and 60, authorized to represent organizations that advocate for younger people with disabilities, for the unexpired portion of a three-year term ending March 1, 2009.

Enacted Number: M08-29

APPROVED

080134 [Appointment - Child Care Planning and Advisory Council]

Motion appointing Simon Lee, term ending December 31, 2008, to the Child Care Planning and Advisory Council.

Simon Lee, succeeding Lisa Jaicks, term expired, seat 4, must be a nominee of District 4 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative," for the unexpired portion of a three-year term ending December 31, 2008.

Enacted Number: M08-28

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed From the Consent Agenda

Supervisor Daly requested that File Nos. 080123 and 080124 be severed so that they might be considered separately.

080123 [Settlement of lawsuit and

appropriating a portion of the proceeds - Department of Elections]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, against Election Systems and Software, Inc., on November 20, 2007 in San Francisco Superior Court, Case No. CGC 07-469371, entitled City and County of San Francisco, et al. v. Election Systems & Software, Inc, and appropriating $1,130,000.00 of the proceeds to the Department of Elections. (City Attorney)

Enacted Number: 18-08

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Ammiano, Daly

Recommendations of the Budget and Finance Committee

080124 [Department of Elections amendment to current voting systems contract with Sequoia Voting Systems, Inc.]

Resolution approving an amendment to the existing contract between the City and County of San Francisco, through its Department of Elections, and Sequoia Voting Systems, Inc., to pay Sequoia $1,130,000 rather than transfer to Sequoia the

City's AutoMARK ballot marking devices, in connection with a settlement of litigation by the City against Elections System & Software involving those devices. (Elections Department)

Enacted Number: 65-08

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Ammiano, Daly

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget and Finance Committee Without Recommendation

071526 **[Public Employment - Entertainment Commission]** **Supervisors Dufty, Alioto-Pier, Daly**

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) to reflect the addition of one position (.33 FTE) Class 0923 - Manager II in the Entertainment Commission for the Office of Special Events.

Enacted Number: 20-08

FINALLY PASSED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 2 - Elsbernd, Peskin

080092 [De-appropriating $45,612 from Economic and Workforce Development and Appropriating $45,612 for Special Events Promotion in the Entertainment Commission for Fiscal Year 2007-2008] **Supervisors Dufty, Alioto-Pier, Daly**

Ordinance de-appropriating $45,612 of Community Based Organization Services from the Department of Economic and Workforce Development, and appropriating $45,612 for one 0923 Manager II position (0.33 FTE) for special events promotion in the Entertainment Commission for Fiscal Year 2007-2008.

Enacted Number: 21-08
FINALLY PASSED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 2 - Elsbernd, Peskin

Recommendation from the Public Safety Committee

071536 [Access to and retention of community safety camera recordings] **Supervisors Sandoval, Mirkarimi**

> Ordinance amending the San Francisco Administrative Code by amending Section 19.3 to allow the Public Defender and other criminal defense attorneys and investigators to obtain community safety camera recordings for particular purposes; and amending Section 19.6 to specify the procedures for the Public Defender and other criminal defense attorneys and investigators to request community safety camera recordings and to require that the Department of Telecommunications and Information Services retain the recordings for at least 30 days but not more than 30 days.
>
> **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE by the following vote:**
>
> Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Ordinance amending the San Francisco Administrative Code by amending Section 19.3 to allow the Public Defender and other criminal defense attorneys, investigators and the District Attorney to obtain community safety camera recordings for particular purposes; and amending Section 19.6 to specify the procedures for the Public Defender and other criminal defense attorneys and investigators to request community safety camera recordings and to require that the Department of Telecommunications and Information Services retain the recordings for at least 30 days but not more than 30 days.

Continued to February 26, 2008 with the Board Sitting *as a Committee of the Whole.*

Supervisor Sandoval, seconded by Supervisor Maxwell, moved that this Ordinance be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Chu, Elsbernd

From the Rules Committee With Recommendation "Do Submit"

071667 [Charter Amendment - Requiring Board confirmation of appointments to the Public Utilities Commission; setting qualifications for members of the Commission] **Supervisors Maxwell, Dufty, Peskin, Mirkarimi, Ammiano, Elsbernd**

Charter Amendment (Second Draft) to amend Section 4.112 to require confirmation by the Board of Supervisors of the Mayor's appointments to the Public Utilities Commission and to set qualifications for members of the Public Utilities Commission.

ORDERED SUBMITTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Chu

From the Rules Committee Without Recommendation

071471 [Charter Amendment - Minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records **Supervisor Alioto-Pier**

Charter Amendment (First Draft) to add Section 15.104 to create minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws.

NOT ORDERED SUBMITTED by the following vote:

Ayes: 4 - Alioto-Pier, Chu, Daly, Elsbernd
Noes: 7 - Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071589 [Charter Amendment - City Elections In Even-Numbered Years] **Supervisor McGoldrick**

Charter Amendment (Second Draft) to amend Section 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

NOT ORDERED SUBMITTED by the following vote:

Ayes: 5 - Daly, Dufty, Maxwell, McGoldrick, Sandoval
Noes: 6 - Alioto-Pier, Ammiano, Chu, Elsbernd, Mirkarimi, Peskin

Board of Supervisors Sitting as a Committee of the Whole

From the Rules Committee Without Recommendation

071591 [Charter Amendment - City policy regarding diversity on City boards and commissions] **Supervisor McGoldrick**

Charter Amendment (Fourth Draft) to amend Section 4.101 to make it City policy to consider and as appropriate support the nomination, appointment and confirmation of female, minority, and disabled candidates to fill seats on appointive boards, commissions, or advisory bodies.

The President inquired as to whether any member of the public wished to address the Board members.
Emily Murase, PHD; Executive Director of the Commission on the Status of Women
The President declared the public hearing closed.

ORDERED SUBMITTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin,

Sandoval

From the Rules Committee Without Recommendation

071663	**[Charter Amendment - New hire qualifications for retiree health care; improved retirement benefits for miscellaneous employees retiring on or after January 10, 2009]**	**Mayor, Supervisors Elsbernd, Peskin, Alioto-Pier, Mirkarimi, Chu**

Charter Amendment (Third Draft) amending Section A8.428, to increase the years of service required for new employees to qualify for subsidized health benefits at retirement and to adjust the formula for calculating retiree health benefit subsidies for those new employees; adding Sections 12.204, A8.409-7, and A8.590-8, and amending Section A8.432, to fund retiree health benefits for the City and County of San Francisco and other participating employers; adding Sections A8.404-1 and A8.409-8 so that economic provisions, including wages, shall not be increased for miscellaneous City and County employees for the fiscal year commencing July 1, 2009 and ending on June 30, 2010, and recognizing certain ongoing economic expenditures by the City and County in future years; and adding Sections A8.526-2 and A8.526-3, and amending Sections A8.509, A8.587-2 and A8.587-13, to increase retirement benefits for retirees and employees who retire on or after January 10, 2009 to encourage longer employment and retention and improved cost of living benefits for all retirees and employees.

The President inquired as to whether any member of the public wished to address the Board members.

Female speaker; requesting a change in the Charter Amendment for teachers

Sandra Surer; requesting a change in the Charter Amendment for teachers

Tim Paulson, Labor Council; support of the Charter Amendment

The President declared the public hearing closed.

Continued to February 26, 2008

Supervisor Chu requested to be added as a co-sponsor.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

080053 [Airport Concession Lease]

Resolution approving the Boarding Area "F" Candy Store and Kiosks Lease between Pacific Gateway

Concessions, LLC., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Enacted Number: 75-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080121 [Lease of Real Property - 1390 Market Street]

Resolution authorizing the exercise of a five-year option to extend the lease of approximately 25,939 square feet of space at 1390 Market Street for the Department of Public Health. (Real Estate Department)

(Fiscal Impact.)

Enacted Number: 74-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Government Audit and Oversight Committee

071371 [Taxicab gate cap; ratifying previous gate fees; gate **Supervisors Sandoval,**

surcharge for low emission vehicles; taxi fleet greenhouse gas emissions] **Alioto-Pier, Peskin**

Ordinance amending the San Francisco Police Code by: amending Section 1135.1, to raise the taxicab gate cap to $96.50 and to ratify gate fees previously charged up to $91.50 per shift for the period from January 1, 2003 to October 27, 2006; by repealing current Section 1135.2, as obsolete; by adding a new Section 1135.2, to authorize a $7.50 surcharge on the gate cap for low emission vehicles; and by adding Section 1135.3, to require taxi companies to reduce average per vehicle greenhouse gas emissions by 20 percent from 1990 levels by 2012.

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Alioto-Pier, Chu, Elsbernd, McGoldrick, Peskin, Sandoval
Noes: 5 - Ammiano, Daly, Dufty, Maxwell, Mirkarimi

Recommendation of the Land Use and Economic Development Committee

080138 [Changing the official sidewalk width - Berry Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1577 to change the official sidewalk width on the northerly side of Berry Street between 7th and DeHaro Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

080083 [Appointment, Entertainment Commission - John Newlin]

Motion approving the Mayor's nomination for appointment of John Newlin to the Entertainment Commission, for the term ending July 1, 2010. (Clerk of the Board)

(Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.Transmittal date - 1/15/08)

Enacted Number: M08-27

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080085 [Appointment, Entertainment Commission - Justin Roja]

Motion approving the Mayor's nomination for appointment of Justin Roja to the Entertainment Commission, for the term ending July 1, 2011. (Clerk of the Board)

(Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.Transmittal date - 1/15/08)

Enacted Number: M08-26

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Chu Excused From Voting

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved to excuse Supervisor Chu from voting on File Nos. 080104 and 080105. The

motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080104 [Appointment, Urban Counties Caucus - Supervisor Carmen Chu] **Supervisor Peskin**

Motion appointing Supervisor Carmen Chu, term ending December 31, 2008 to the Urban Counties Caucus.

Enacted Number: M08-18

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Chu

080105 [Appointment, California State Association of Counties - Supervisor Carmen Chu] **Supervisor Peskin**

Motion appointing Supervisor Carmen Chu, term ending November 28, 2008, as a member to the California State Association of Counties Board of Directors.

Enacted Number: M08-17

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin,

Sandoval
Excused: 1 - Chu

From the Rules Committee Without Recommendation

080115 [Reappointment, Public Utilities Commission - Ryan Brooks]

Motion taking no position concerning the Mayor's reappointment of Ryan Brooks to the Public Utilities Commission, for the term ending January 15, 2012. Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. (Transmittal date January 15, 2008)

Amended by replacing the language "taking no position concerning the Mayor's reappointment" with the language "rejecting the Mayor's reappointment".

Supervisor Dufty, seconded by Supervisor Ammiano, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Motion rejecting the Mayor's reappointment of Ryan Brooks to the Public Utilities Commission, for the term ending January 15, 2012.

APPROVED AS AMENDED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 3 - Alioto-Pier, Chu, Elsbernd

080119 [Reappointment, Public Utilities Commission - Richard Sklar]

Motion taking no position concerning the Mayor's reappointment of Richard Sklar to the Public Utilities Commission, for the term ending January 15, 2012. Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. (Transmittal date January 15, 2008)

Amended by replacing the language "taking no position concerning the Mayor's reappointment" with the language "rejecting the Mayor's reappointment".

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Motion rejecting the Mayor's reappointment of Richard Sklar to the Public Utilities Commission, for the term ending January 15, 2012.

(NOTE: This matter requires 8 votes for approval.)

NOT APPROVED AS AMENDED by the following vote:

Ayes: 7 - Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 4 - Alioto-Pier, Chu, Daly, Elsbernd

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Chu, seconded by Supervisor Mirkarimi, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to a member of the Grand Jury in recognition of "Grand Jury Awareness Month".

Supervisor Chu introduced, welcomed and presented a

Certificate of Honor to Jean Shelton in recognition of her 80th Birthday and her outstanding service as an educator.

SPECIAL ORDER 4:00 P.M.

080127 [Public Hearing - Conditional Use Appeal for 3571 Sacramento Street Project]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 17524 dated December 20, 2007, relating to the approval of a Conditional Use Authorization (Case No. 2007.0971CE), under the Planning Code Sections 303 and 724.52 to establish a foreign language enrichment program for children, in the Sacramento Street Neighborhood Commercial District and a 40-X Height and Bulk District on property located at 3571 Sacramento Street, Lot 023 in Assessor's Block 1019. (Appellants: Janis M. Platt and John C. Adams.)

(Filed January 22, 2008; companion measure to Files 080128, 080129, 080130; District 2.)

The President inquired as to whether any member of public wished to address the Board members.

Stephen Williams, Attorney for the appellant

Christopher Banos; support of the appellant

Male speaker building contractor; support of the appellant

Sarah Lowrey; support of the appellant

Heather Dowling; support of the appellant
Ann Bridgewall; support of the appellant
John Adams, read a letter from Mark Woods; support of the appellant
Steve Crolick; support of appellant
Janis Platt; appellant
Male speaker; support of the appellant
Monty Stodham; support of the appellant
Josephine Sambotto; support of the appellant
Male speaker; support of the appellant
An Marie Rodgers and Mary Woods, representatives of the Planning Department, reviewed with Board members the Planning Commission's recommendation.
Representative from "Language at Play"; Project Sponsor
Marsha Herman, property owner; support of the project sponsor
Howard Herman, property owner; support of the project sponsor
Valerie Pinker; support of the project sponsor
Heather Ainsworth, "Language of Play"; project sponsor
Rebuttal Period:
Stephen Williams; Attorney for the project sponsor
President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision *described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.*

(Only one of the following two motions should be approved.)

080128 [Approving Planning Commission decision related to Conditional Use Appeal for 3571 Sacramento Street]

Motion approving decision of the Planning Commission by its Motion No. 17524, approving Conditional Use Application No. 2007.0971CE on a property located at 3571 Sacramento Street, and adopting findings pursuant to Planning Code Section 101.1.

Enacted Number: M08-23

Supervisor Alioto-Pier, seconded by Supervisor Sandoval, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080129 [Disapproving Planning Commission decision related to

Conditional Use Appeal for 3571 Sacramento Street]

Motion disapproving decision of the Planning Commission by its Motion No. 17524, approving Conditional Use Application No. 2007.0971CE on a property located at 3571 Sacramento Street, and adopting findings pursuant to Planning Code Section 101.1.

Supervisor Alioto-Pier, seconded by Supervisor Sandoval, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080130 [Preparation of findings related to the Conditional Use Appeal for 3571 Sacramento Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2007.0971CE on a property located at 3571 Sacramento Street, for action by the Board at its next meeting.

Enacted Number: M08-22

Supervisor Alioto-Pier, seconded by Supervisor Sandoval, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin,

Sandoval

COMMITTEE REPORTS

Supervisors Dufty and McGoldrick were noted absent at 3:57 p.m.
Supervisor Dufty was noted present at 3:59 p.m.
Supervisor McGoldrick was noted present at 4:01 p.m.
Supervisor Alioto-Pier was noted absent at 4:04 p.m.
Supervisor Alioto-Pier was noted present at 4:10 p.m.

080135 [Settlement of Lawsuit - Mark Chambers]

Ordinance authorizing settlement of the class action lawsuit entitled Chambers v. City and County of San Francisco, filed on October 11, 2006 in the United States District Court for the Northern District of California, Case No. C06-06346 WHA. Pursuant to the proposed settlement, the City will enhance community-based housing and services for residents of Laguna Honda Hospital and for other San Franciscans who would benefit from long-term community-based care. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Daly, Mirkarimi
Absent: 1 - Alioto-Pier

080064 **[Confirming the appointment of Malcolm Heinicke to the Municipal Transportation Agency Board of Directors, term ending March 1, 2008]** **Mayor**

Motion confirming the appointment of Malcolm Heinicke to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2008.

Enacted Number: M08-21

APPROVED by the following vote:

Ayes: 6 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, Sandoval
Noes: 3 - Daly, Mirkarimi, Peskin
Absent: 2 - Dufty, McGoldrick

080065 **[Confirming the appointment of Jerry Lee to the Municipal Transportation Agency Board of Directors, term ending March 1, 2011]** **Mayor**

Motion confirming the appointment of Jerry Lee to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2011.

Enacted Number: M08-20

APPROVED by the following vote:

Ayes: 9 - Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Absent: 1 - Alioto-Pier

080066	**[Confirming the appointment of Bruce Oka to the Municipal Transportation Agency Board of Directors, term ending March 1, 2008]**	**Mayor**

Motion confirming the appointment of Bruce Oka to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2008.

Enacted Number: M08-19

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the *amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

Abdullah Megaheed; expressed concern with issues relating to the Iraq war
A. Jacobs Chavez; expressed concern with issues relating to housing
James Chaffee; expressed concern with issues relating to the SF Public Library
Walter; shared with the Board various memorabilia
John Phillips; expressed concern with issues relating to DEA against property owners
Reverend Randelett Webster; expressed concern with issues relating to DEA against property owners
Gilbert; expressed concern with issues relating to DEA against property owners
Liam Wood Smith; support of Safe Access
Steve; showed interest with commercializing Coit Tower

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Supervisors McGoldrick and Sandoval were noted absent at 6:09 p.m.

080197 [Supporting Assemblyman Mark Leno's efforts to establish a State Holiday on Harvey Milk's Birthday] **Supervisors Ammiano, Dufty**

Resolution supporting Assemblyman Leno's efforts to establish a non-fiscal State Holiday on Harvey Milk's Birthday, May 22.

Supervisor Dufty requested to be added as a co-sponsor.

Enacted Number: 70-08

ADOPTED

080199 [Accept-Expend Grant - Public Defender] **Supervisor Mirkarimi**

Resolution authorizing the Office of the Public Defender to accept and expend a grant in the amount of $25,000 from The San Francisco Foundation for a senior clerk position and consulting services to support the implementation of the Safe Communities Reentry Council's strategic plan.

Enacted Number:	76-08	
ADOPTED		

080200	**[Requesting traffic calming and pedestrian and bicyclist safety improvements on Masonic Avenue from Geary Avenue to Haight Street]**	**Supervisors Mirkarimi, McGoldrick, Dufty**

Resolution requesting the Municipal Transportation Agency to work with other city agencies to develop a timeline and funding plan for a comprehensive planning process on Masonic Avenue from Geary Boulevard to Haight Street including traffic calming and pedestrian and bicycle safety improvements.

Enacted Number:	73-08
ADOPTED	

080201	**[Extending Deadline for the Annual Report on Community Safety Cameras]**	**Supervisor Mirkarimi**

Resolution approving an extension on the deadline for the annual report to the Board of Supervisors on all community safety cameras located in the City and County of San Francisco from January 17, 2008 to March 20, 2008, one year from the date of installation of the cameras.

Enacted Number: 71-08

ADOPTED

080203 [Issuance and Sale of Revenue Bonds - Aspen South Hills] **Supervisor Peskin**

Resolution approving the issuance and sale of tax-exempt bonds by the Association of Bay Area Governments in an aggregate principal amount not to exceed $4,500,000 for financing the acquisition and rehabilitation of Aspen South Hills, subject to the policies for such approvals adopted by the Board of Supervisors in Ordinance No. 36-07.

Enacted Number: 68-08

ADOPTED

080204 [Grand Jury Awareness Month] **Supervisors Peskin, Dufty**

Resolution declaring February 2008 as Civil Grand Jury Awareness month in San Francisco.

Supervisor Dufty requested to be added as a co-sponsor.

Enacted Number: 72-08

ADOPTED

080205 [Accept and expend gift in the **Supervisor**

amount of $25,000 - Recreation and Park Department] **Dufty**

Resolution accepting and expending a gift-in-place, valued at up to $25,000 from the United States Tennis Association to the Recreation and Park Department to initiate funding for the planning for the renovation of the Golden Gate Park Tennis Center in Golden Gate Park.

Enacted Number: 78-08

ADOPTED

080206 **[Gift to the Recreation and Park Department - $16,000]** **Supervisor Dufty**

Resolution accepting and expending a gift of $16,000 from the Friends of Noe Courts via the Parks Trust to the Recreation and Park Department for the play area at Noe Valley Tennis Courts.

Enacted Number: 77-08

ADOPTED

080168 **[Final Map - 3189 21st Street]**

Motion approving Final Map 4225, a 3 Unit Residential and 2 Unit Commercial Mixed-Use Condominium Project, located at 3189 21st Street being a subdivision of Lot 071 in Assessors Block No. 3615 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(Public Works Department)

Enacted Number: M08-16

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin

Absent: 2 - McGoldrick, Sandoval

Severed From the Without Reference to Committee Agenda

Supervisor Elsbernd requested to sever this matter so that it might be considered separately.

080198	**[Condemning Drug Enforcement Agency Actions Against Property Owners Leasing Space to Medical Cannabis Dispensaries]**	**Supervisors Daly, McGoldrick, Mirkarimi, Ammiano, Peskin**

Resolution reaffirming that the City and County of San Francisco is a sanctuary for medical cannabis, an integral component of which are property owners who, pursuant to City regulations, lease space to authorized Medical Cannabis Dispensaries ("MCD"s) that provide needed services to qualified medical cannabis patients and their caregivers, and that the City vehemently condemns the Drug Enforcement Agency (DEA) for issuing sensational letters to these property owners threatening asset forfeiture and imprisonment.

Continued to February 26, 2008

Supervisors Ammiano and Peskin requested to be added as co-sponsors.

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

Supervisor Elsbernd requested to sever this matter so that it might be considered separately.

080202 [Policy regarding bay infill at San Francisco International Airport] **Supervisors Peskin, Maxwell**

Resolution establishing policy on bay infill for runway expansion at San Francisco International Airport.

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

ADOPTED AS AMENDED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

OFF-AGENDA LEGISLATION

Ordinances

080229 [Shelter Monitoring Committee] **Supervisors Ammiano, Peskin, Maxwell**

Ordinance amending sections 20.302 of the San Francisco Administrative Code to require the Department of Public Health to assign three full-time employees to staff the Shelter Monitoring Committee, subject to the fiscal and budgetary provisions of the Charter.

2/12/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests that the item be agendized at the February 20, 2008 meeting of the Finance Committee.

080230 [Appropriating $4,270,320 for Capital Improvements at San Francisco General Hospital in **Supervisor Chu**

the Department of Public Health for Fiscal Year 2007-2008]

Ordinance appropriating $4,270,320 of General Fund Budget Savings Incentive Reserve Funding for capital improvements at San Francisco General Hospital associated with central service building seismic upgrades and electrical power distribution in the Department of Public Health for Fiscal Year 2007-2008.

(Fiscal Impact.)

2/12/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080231 [Driving-experience requirements for taxi medallion applicants] **Supervisor Daly**

Ordinance amending the San Francisco Police Code by amending Section 1121, to adjust the driving-experience requirements for taxi medallion applicants by pro-rating the requirement for the year in which an application is heard.

2/12/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 3/13/2008.

080232 [Planning Code and Health Code-Deadline Extension for Medical Cannabis Dispensary Permitting] **Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 790.141, and 890.133 to extend the time period for certain medical cannabis dispensaries to obtain a permit from March 1, 2008 to January 21, 2009; and making findings, including General Plan, Planning Code Section 101.1(b) and environmental findings.

2/12/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/13/2008.

080233 [Urban Forestry Council - Membership] **Supervisor McGoldrick**

Ordinance amending the San Francisco Environment Code by amending Section 1202 to reconstitute the membership of the Urban Forestry Council to five members.

2/13/08, RECEIVED AND ASSIGNED to Rules Committee.

080235 [First Source Hiring Ordinance - expanding scope of covered permits in Market and Octavia Plan] **Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by amending sections 83.2, 83.4, and 83.6 to: (1) expand the scope of permits that the ordinance applies to in the Market and Octavia Area Plan; (2) place new reporting requirements on the First Source Hiring Administration that include reporting first source statistics on permittees, as defined under the ordinance, and (3) require contractors and permittees to cooperate with reasonable requests for information from the First Source Hiring Administration.

2/12/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/13/2008.

080236 [Repealing the San Francisco Traffic Code and enacting Division I of the San Francisco Transportation Code to conform to the requirements of Proposition A] **Supervisor Peskin**

Ordinance repealing the San Francisco Traffic Code and enacting Division I of the San Francisco Transportation Code.

2/12/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/13/2008. 2/21/08, President Peskin waived the 30-day Rule.

080237 [Zoning -Urgency Ordinance imposing an interim zoning moratorium on enterprises that sell Tobacco Paraphernalia] **Supervisor Sandoval**

Urgency Ordinance imposing an interim zoning moratorium to temporarily prohibit the establishment of new enterprises, subject to specified exceptions, that sell Tobacco

Paraphernalia, as defined, in all Commercial, Mixed Use and Industrial districts for 45 days and making findings, including findings of consistency with the Priority Policies of Planning Code Section 101.1 and environmental findings.

2/12/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080238 [Appropriating $262,157,569 of Mayor San Francisco Water Revenue Bonds for the San Francisco Public Utilities Commission Water System Improvement Program for Fiscal Year 2007-08]

Ordinance appropriating $257,605,000 of San Francisco Water Revenue Bonds, 2006 Series A, and deappropriating $4,552,569 of Sunol Valley Water System Improvement Projects to support various projects under the Water System Improvement Program (WSIP) in the Public Utilities Commission for FY 2007-08.

(Fiscal Impact.)

2/12/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071561 [Prohibiting Formula Retail in the Mission/Bernal Formula Retail Restricted Use Subdistrict] **Supervisor Ammiano**

Ordinance amending the San Francisco Planning Code by adding Section 785 to establish the Mission/Bernal Formula Retail Restricted Use Subdistrict; amending Planning Code Section 703.3 to prohibit formula retail uses in the Mission/Bernal Formula Retail Restricted Use Subdistrict; amending Sectional Maps SU 07 and SU 11 of the Zoning Map of the City and County of San Francisco to establish the boundaries of the Mission/Bernal Formula Retail Restricted Use Subdistrict; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
Economic Impact

11/13/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/13/2007.

11/20/07, REFERRED TO DEPARTMENT. Referred to Small Business Commission and Planning Commission for review and comment.

11/20/07, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing new title.

11/20/07, ASSIGNED to Land Use and Economic Development Committee.

11/27/07, REFERRED TO DEPARTMENT. Referred version 2 to Small Business Commission and Planning Commission for review and comments.

1/2/08, RESPONSE RECEIVED. Planning Department exemption/exclusion from Environmental Review.

2/12/08, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing same title.

2/12/08, ASSIGNED to Land Use and Economic Development Committee.

Resolutions

080227 [Grant to support SFGHMC's Quality Improvement Initiative] **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health, San Francisco General Hospital Medical Center (DPH-SFGHMC) to accept and expend retroactively a two-year grant from Kaiser Permanente's Community Benefits Program in the amount of $150,000, to fund SFGHMC's Quality Improvement Initiative; for the period of October 1, 2007 through October 1, 2009.

2/12/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080228 [Funds to support nutrition services] **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $11,927 from FACET, BAART Programs Turk Street Clinic for a project entitled "FACET - SFDPH Nutrition Services," for the period of January 1, 2008 through December 30, 2008.

2/12/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080241 [Red Cross Month - March 2008] **Supervisors Elsbernd, Chu**

Resolution proclaiming March 2008 as Red Cross Month in San Francisco.

2/12/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080242 [Honoring Marge Gambelin for her dedication and her work with the Planning Department of the City and County of San Francisco] **Supervisor Dufty**

Resolution honoring Marge Gambelin for her dedication and her work with the Planning Department of the City and County of San Francisco.

2/12/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080243 [Commendation of Equality California] **Supervisors Sandoval, Ammiano, Dufty**

Resolution commending Equality California, the statewide organization that is championing equality for Lesbian, Gay, Bisexual, and Transgender people in California, on a successful 10th Anniversary 2008 Equality Awards Gala.

2/12/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080244 [Sidewalk Memorial Plaques] **Supervisors Daly, Mirkarimi**

Resolution urging the Department of Public Works to approve Mr. Ian Brennan's encroachment applications for installation of commemorative bronze sidewalk plaques.

2/12/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080245 [Declaring intent of the City and County of San Francisco with regard to pending legislation amending the Medical Cannabis Act of 2005] **Supervisors Daly, Ammiano, Mirkarimi**

Resolution declaring the intent of the City and County of San Francisco not to take enforcement action against those medical cannabis dispensaries that have properly applied for the necessary permits before August 17, 2007, while current legislation is pending to extend the deadline for obtaining final MCD permits from the Department of Public Health.

2/12/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080246 [Lifting time limits in rental subsidy program for low income families] **Supervisors Daly, Ammiano, Mirkarimi**

Resolution calling on the Human Services Agency (HSA) to remove the arbitrary time limit in its local housing subsidy for homeless families and to make the timeline for this subsidy need-based.

2/12/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080247 **[Supporting Earth Hour - March 29, 2008]** **Supervisors Alioto-Pier, Elsbernd, Dufty, Chu**

Resolution to support extinguishing all non-essential lighting in all city government buildings, public schools and public landmarks for the hour between 8:00 PM and 9:00 PM on March 29, 2008 to conserve energy as part of the city-wide energy conservation event: Earth Hour San Francisco, and establishing March 29, 2008 as Earth Hour San Francisco Day.

2/12/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080248 **[Approval of an additional 90 day extension for Planning Commission review in order to allow for a Recreation and Parks Commission hearing]** **Supervisor Mirkarimi**

Resolution extending by an additional 90 days the prescribed time within which the Planning Commission may render its decision on a proposed

Ordinance that would amend Sectional Map 2 of the Zoning Map of the City and County of San Francisco to a date within two weeks of the environmental review hearing for the same action. The proposed Ordinance would specifically change the use classification of Block 1098, Lot 9, located at the northwest corner of Divisadero and O'Farrell Streets, from Small-scale Neighborhood Commercial (NC-2) District to Moderate-scale Neighborhood Commercial (NC-3) District; and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

2/12/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080249 [Supporting the California Prevention of Farm Animal Cruelty Act] **Supervisor Ammiano**

Resolution supporting the California Prevention of Farm Animal Cruelty Act.

2/12/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

080225 [Public Health Cuts at Laguna Honda and in the Chronic Health Care Nurse Program] **Supervisor Daly**

Hearing to consider the cumulative impact of layoffs and census reduction at Laguna Honda Hospital combined with cuts to the chronic health care public nurse program.
2/12/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080226 **[Budget Analyst's report regarding the total budgetary impact of the Mayor's staff changes and budget announcements]** **Supervisors McGoldrick, Elsbernd**

Hearing to discuss the Budget Analyst's report regarding the total budgetary impact of the Mayor's staff changes and budget announcements, including the appointment of 17 directors, ten Mayor's Office staff members and other senior staff members. The hearing will include a review of salary increases, decreases, fringe benefits, severance packages and related funding sources, as well as the 1,670 positions that were requisitioned citywide.
2/12/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Motions

080234 **[Directing the Budget Analyst to conduct a managerial audit of the First Offender Prostitution Program]** **Supervisor McGoldrick**

Motion directing the Budget Analyst to conduct a managerial audit on the First Offender Prostitution Program (FOPP), a diversion program of Standing Against Global Exploitation (SAGE).
(Supervisor Elsbernd dissented in committee.)
2/12/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080239 **[Appointment, Planning Commission - Christina Olague]** **Supervisor Peskin**

Motion approving the Board of Supervisors President Peskin's nomination of Christina Olague to the Planning Commission term ending July 1, 2012. (Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 080240.)
Transmittal date - February 12, 2008.
2/12/08, RECEIVED AND ASSIGNED to Rules Committee.

080240 **[Appointment, Planning Commission - Christina Olague]** **Supervisor Peskin**

Motion rejecting the Board of Supervisors President Peskin's nomination of Christina Olague to the Planning Commission term ending July 1, 2012.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 080239.) Transmittal date - February 12, 2008.

2/12/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

080210 [Stipulation of Conditional Use authorization or Mandatory Discretionary Review of any permit application to remove dwelling units, where the Planning Code does not already require

Ordinance amending the Planning Code by adding Section 317 to stipulate Conditional Use or Mandatory Discretionary Review of any Building Permit applications that would eliminate existing dwelling units through mergers, conversions, or demolitions of residential units, and requiring certain affordability and soundness findings, with certain administrative exceptions allowed; making findings as to the need to preserve affordable

housing in San Francisco, environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. (Planning Department)
1/7/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/6/2008.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the Phone Switch Boxes at the following locations:
Northeast corner of Oak and Fillmore
Northeast corner of Fell and Buchanan
Southeast corner of Fell and Pierce
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:
Southeast corner of Laguna and Page (SF Bay Guardian)
Northwest corner of Fillmore and Hayes (SF Bay Guardian)
Southeast corner of Laguna and Page (SF Chronicle)
Northwest corner of Fillmore and Hayes (SF Chronicle)
Northwest corner of Fillmore and Hayes (Examiner)
Northwest corner of Hayes and Gough (Examiner)

Northwest corner of Hayes and Gough (SF Daily)
Northwest corner of Hayes and Gough (City Star)
Northeast Fillmore and Waller (Onion)
Northwest corner of Hayes and Gough (Onion)
Southeast corner of Divisadero and Page (Onion)
Southwest corner of Hayes and Webster (SF Weekly)
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:
235 Buchanan
601 Fillmore
75 Gough
927 Hayes
930 Hayes
947 Hayes
942 Hayes
962 Hayes
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:
Numerous potholes on the 200 Block of Haight Street

Dr. John Dennis, Jr. - Supervisor Alioto-Pier
Lucy Johnson - Supervisor Mirkarimi
Congressman Tom Lantos - Entire Board
Maggie Jacobsen - Supervisor Peskin

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:28 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on March 11, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative

Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

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Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯: 必須在會議前最少四十八小時提出要求
請電: (415) 554-7719

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The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

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The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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February 26, 2008

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MEETING MINUTES

Tuesday, February 26, 2008

2:00 PM

Legislative Chamber - Second Floor

Regular Meeting

These Meeting Minutes were revised as of

03/13/08

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*Bevan Dufty.*
Members Absent:	*None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll Supervisor Dufty was noted absent. There was a quorum present.
Supervisor Dufty was excused from attending today's meeting.

Supervisor Dufty Excused from Attendance

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to excuse Supervisor Dufty

from attending today's meeting. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to approve January 29, 2008 and February 5, 2008 Board Meeting Minutes. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

CONSENT AGENDA

Recommendation of the City Operations and Neighborhood Services Committee

080158 [Apply for Grants from a State Agency - Department of the Environment] **Supervisor Alioto-Pier**

Resolution authorizing the Department of the Environment to apply for a grant of up to $200,000 from the California Energy Commission for the purpose of studying the feasibility of the use of

Geothermal Heat Pumps as a source of renewable energy for the City of San Francisco.

Enacted Number: 88-08

ADOPTED

Recommendation of the Land Use and Economic Development Committee

080138 [Changing the official sidewalk width - Berry Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1577 to change the official sidewalk width on the northerly side of Berry Street between 7th and DeHaro Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

Enacted Number: 23-08

FINALLY PASSED

Recommendations of the Rules Committee

080054 [Settlement of Lawsuits and Claims]

Ordinance authorizing settlement of claims made by Plaintiffs Kurt Bruneman, Tom Feledy, Narda Gillespie, Michael Hughes, Gregory Mar, Donna Meixner, Mark Osuna, Frederick Schiff, Mark Sullivan, Dennis Quinn, Donald Woolard, Michael Zurcher in a multi-party action against the City and County of San Francisco for $1,600,000.00, and City to credit Mark Sullivan with 125.5 compensation time hours; the three lawsuits for the above-mentioned plaintiffs were all filed in the United States District Court, Northern District, Case No. C03-4345 (filed on January 16, 2003 and entitled Frederick Schiff v. City and County of San Francisco, et al.), Case No. C04-2261 (filed on June 8, 2004 and entitled Narda Gillespie, et al. v. City and County of San Francisco, et al.), Case No. C04-2262 (filed on June 8, 2004 and entitled Mark Osuna v. City and County of San Francisco, et al.). (City Attorney)

Enacted Number: 22-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

080055 [Settlement of Lawsuit - Teresa Yeung]

Ordinance authorizing the settlement of a lawsuit filed by Teresa Yeung, against the City and County of San Francisco for $87,500.00; the lawsuit was filed on July 23, 2007, in San Francisco Superior Court, Case No. 07-465400, entitled Teresa Yeung v. City and County of San Francisco.

Enacted Number: 24-08

FINALLY PASSED

080120 [Settlement of City's Lawsuit Against Sempra Energy, Sempra Energy Trading Corp., Southern California Gas Co. and San Diego Gas and Electric Co.]

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately $1,000,000 to the City from defendants Sempra Energy, Sempra Energy Trading Corp., Southern California Gas Co. and San Diego Gas and Electric Co. (City Attorney)

Enacted Number: 25-08

FINALLY PASSED

080136 [Approving Settlement with the California Independent System Operator and adopting the First Amended and Restated Operating Agreement]

Ordinance authorizing settlement of proceedings initiated by the California Independent System Operator before the Federal Energy Regulatory Commission in Docket No. ER06-227-000 to establish operational, scheduling and settlement requirements for certain City electrical transmission transactions and adopting the First Amended and Restated Operating Agreement. (City Attorney)

PASSED, ON FIRST READING

080183 [Appointment - Biodiesel Access Task Force]

Motion appointing Eric Smith, Kevin Clark, Michele Swiggers and Joe Burgard, terms ending December 31, 2009, to the Biodiesel Access Task Force.
Eric Smith, succeeding Melissa Hardy, term expired, seat 3, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2009. Kevin Clark, succeeding Karri Ving, resigned, seat 5, must be member of the public who represents the biodiesel

community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2009. Michele Swiggers, new appointment, seat 6, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2009. Joe Burgard, new appointment, seat 7, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2009.

Enacted Number: M08-31

APPROVED

080184 [Appointment - In-Home Supportive Services Public Authority]

Motion appointing Tatiana Kostanian, term ending March 1, 2010, to the In-Home Supportive Services Public Authority.

Tatiana Kostanian, succeeding Elizabeth Grigsby, resigned, seat 9, must be a member of the Mayor's Disability Council, recommended to the Board by the Council, for the unexpired portion of a three-year term ending March 1, 2010.

Enacted Number: M08-32

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

080217 [Adopting findings related to affirming the categorical exemption issued for 652 Duncan Street]

Motion adopting findings related to affirming the determination by the Planning Department that the 652 Duncan Street Project is categorically exempt from environmental review under the California Environmental Quality Act.

Enacted Number: M08-37

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

080254 [Adopting findings related to

the conditional use appeal on property located at 3571 Sacramento Street]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2007.0971CE (which authorized the establishment of a foreign language enrichment program for children) in the Sacramento Street Neighborhood Commercial District and a 40-X Height and Bulk District, pursuant to Planning Code Sections 303 and 724.52, on property located at 3571 Sacramento Street (Lot 023 in Assessor's Block 1019).

Enacted Number: M08-38

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Recommendations of the Government Audit and Oversight Committee

071593 [Agreement with King Security Services Inc. for Armed and Unarmed Security Guard Services] **Supervisor Elsbernd**

Resolution authorizing a three year agreement, with option to renew for up to an additional two years, with King Security Services, Inc. for an amount not

to exceed $17,100,000.
(Supervisor Daly dissented in Committee.) (Fiscal Impact.)

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Resolution be RE-REFERRED to the Government Audit and Oversight Committee. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

071371	**[Taxicab gate cap; ratifying previous gate fees; gate surcharge for low emission vehicles; taxi fleet greenhouse gas emissions]**	**Supervisors Sandoval, Alioto-Pier, Peskin**

Ordinance amending the San Francisco Police Code by: amending Section 1135.1, to raise the taxicab gate cap to $96.50 and to ratify gate fees previously charged up to $91.50 per shift for the period from January 1, 2003 to October 27, 2006; by repealing current Section 1135.2, as obsolete; by adding a new Section 1135.2, to authorize a $7.50 surcharge on the gate cap for low emission vehicles; and by adding Section 1135.3, to require taxi companies to reduce average per vehicle greenhouse gas emissions by 20 percent from 1990 levels by 2012.

Enacted Number: 26-08

FINALLY PASSED by the following vote:

Ayes: 7 - Alioto-Pier, Chu, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 3 - Ammiano, Daly, Mirkarimi

Excused: 1 - Dufty

Recommendation of the Rules Committee

080135 [Settlement of Lawsuit - Mark Chambers]

Ordinance authorizing settlement of the class action lawsuit entitled Chambers v. City and County of San Francisco, filed on October 11, 2006 in the United States District Court for the Northern District of California, Case No. C06-06346 WHA. Pursuant to the proposed settlement, the City will enhance community-based housing and services for residents of Laguna Honda Hospital and for other San Franciscans who would benefit from long-term community-based care. (City Attorney)

Continued to March 11, 2008 to be heard in Closed Session.

Supervisor Elsbernd, seconded by Supervisor Daly, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Dufty

From the Rules Committee Without Recommendation

071663 [Charter Amendment - New hire qualifications for retiree health care; improved retirement benefits for miscellaneous employees retiring on or after January 10, 2009]

Mayor, Supervisors Elsbernd, Peskin, Alioto-Pier, Mirkarimi, Chu

Charter Amendment (Third Draft) amending Section A8.428, to increase the years of service required for new employees to qualify for subsidized health benefits at retirement and to adjust the formula for calculating retiree health benefit subsidies for those new employees; adding Sections 12.204, A8.409-7, and A8.590-8, and amending Section A8.432, to fund retiree health benefits for the City and County of San Francisco and other participating employers; adding Sections A8.404-1 and A8.409-8 so that economic provisions, including wages, shall not be increased for miscellaneous City and County employees for the fiscal year commencing July 1, 2009 and ending on June 30, 2010, and recognizing certain ongoing economic expenditures by the City and County in future years; and adding Sections A8.526-2 and A8.526-3, and amending Sections A8.509, A8.587-2 and A8.587-13, to increase retirement benefits for retirees and employees who retire on or after January 10, 2009 to encourage longer employment and retention and improved cost of living benefits for all retirees and employees.

ORDERED SUBMITTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Board of Supervisors Sitting as a Committee of the Whole

071536 [Access to and retention of community safety camera recordings] **Supervisors Sandoval, Mirkarimi**

Ordinance amending the San Francisco Administrative Code by amending Section 19.3 to allow the Public Defender and other criminal defense attorneys, investigators and the District Attorney to obtain community safety camera recordings for particular purposes; and amending Section 19.6 to specify the procedures for the Public Defender and other criminal defense attorneys and investigators to request community safety camera recordings and to require that the Department of Telecommunications and Information Services retain the recordings for at least 30 days but not more than 30 days.

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Chu, Elsbernd
Excused: 1 - Dufty

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved to rescind the previous vote and amend the legislation.
Motion to rescind the previous vote passed without objection.
Amended on page 3, line 1, by removing the language "of the initial request".

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Chu, Elsbernd
Absent: 1 - Alioto-Pier
Excused: 1 - Dufty

NEW BUSINESS

Recommendations of the Budget and Finance Committee

071671 [De-appropriating $50,000 **Supervisor**

Golden Gate Park Stables General Fund project and Re-appropriating $50,000 for Golf Course Recreational Study at Recreation and Park for Fiscal Year 2007-2008] **McGoldrick**

Ordinance de-appropriating $50,000 of General Fund from the Golden Gate Park Stables Project and re-appropriating $50,000 of General Fund for a Recreational Opportunity Study at San Francisco Golf Courses in the Department of Recreation and Park for Fiscal Year 2007-2008.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

080098 [Appropriating $55,000,000 of Commercial Paper revenue for Terminal Improvements T2 Boarding Area D renovations at the San Francisco Airport for Fiscal Year 2007-2008] **Mayor**

Ordinance appropriating $55,000,000 of commercial paper revenues for Renovations to the terminal two boarding area D at the San Francisco Airport for Fiscal Year 2007-2008. (Mayor)
(Fiscal Impact.)

PASSED ON FIRST READING by the following

vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

080079 [Airport Environmental Review]

Resolution adopting CEQA Findings Related to the Terminal 2/ Boarding Area D Renovation Project at San Francisco International Airport. (Airport Commission)

Enacted Number: 89-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Appointment of President Pro Tempore

At the request of the President, Supervisor Ammiano assumed the Chair so the President could participate in the debate from the floor concerning the following item.

080188 [Hiring of Recreation Directors] Supervisors Ammiano, Dufty, Peskin, Daly

Resolution urging the Mayor to reinstate hiring of all vacant Recreation Director positions.

Supervisor Daly requested to be added as a co-sponsor.

Enacted Number: 97-08

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Chu, Elsbernd
Excused: 1 - Dufty

080122 [Approval of Mental Health Services Act (MHSA) Agreement and authorization to designate the Director of Community Behavioral Health Services (CBHS) to sign said agreement]

Resolution retroactively approving the Mental Health Services Act Contract No. 07-77338-000, incorporating Community Program Planning Funds in FY04-05 and Community Services and Supports Funds for Fiscal Years 05-08, with the Department of Mental Health for $18,922,386 and authorizing the San Francisco Department of Public Health (SFDPH) - CBHS Director to sign said agreement and any and all amendments in the future, including increases to add other components of MHSA. (Public Health Department)

Enacted Number: 90-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

080137 [Amending a contract with anticipated expenditures in excess of $10 million]

Resolution approving the Tenth Amendment to the Agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for sludge hauling, extending the term of the contract by three (3) months to May 31, 2008 and increasing the total compensation to the Contractor by seven hundred fifty thousand dollars ($750,000) to thirteen million six hundred fifteen thousand dollars ($13,615,000), pursuant to San Francisco Charter Section 9.118(b). (Office of Contract Administration)
(Fiscal Impact.)

Enacted Number: 94-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

080166 [Authorizing the execution and delivery of certificates of participation to finance the acquisition, demolition, improvement, installation, **Mayor**

equipping, rehabilitation, construction and/or reconstruction of an office building located at 525 Golden Gate Ave]

Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition, demolition, improvement, installation, equipping, rehabilitation, construction and/or reconstruction of an office building and related property located at 525 Golden Gate Avenue; approving the form of a trust agreement between the City and County of San Francisco (the "City") and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the form of a property lease between the City and a trustee relating to 525 Golden Gate Avenue; approving the form of a project lease between the City and a trustee (including certain indemnities contained therein); approving the form of a Memorandum of Understanding between the San Francisco Public Utilities Commission and the City; approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31 and findings pursuant to the City Planning Code Section

101.1; and ratifying previous actions taken in connection therewith.
(Fiscal Impact.)

Enacted Number: 87-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

080167 **[Approval of Amendment No. 4 to architectural design agreement for the new Public Utilities Commission administration building located at 525 Golden Gate Avenue, San Francisco]** **Mayor**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 4 to architectural design agreement for the new San Francisco Public Utilities Commission administration building project located at 525 Golden Gate Avenue to increase the contract value by $7,090,000 to bring the total contract value to $11,550,000, and extend the contract duration by 26 months for a total duration of 44 months.
(Fiscal Impact.)

Enacted Number: 86-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Dufty

080151 [Accept-Expend Regional Grant - Airport Commission] **Supervisor Chu**

Resolution authorizing the Airport Commission to accept and expend two (2) grants totaling $298,000 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles by Airport transportation operators.

Enacted Number: 84-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Dufty

Recommendations of the City Operations and Neighborhood Services Committee

080017 [Liquor License - 837 Divisadero Street]

Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license to Eric Whitaker for Mini Bar SF LLC, located at 837 Divisadero Street (District 5), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4

of the California Business and Professions Code, with conditions.

Enacted Number: 91-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

080047 [Continuum of Care: Five-Year Strategic Plan of the San Francisco Local Homeless Coordinating Board 2008-2013] **Supervisors Daly, Ammiano, Mirkarimi**

Resolution declaring the policy that the Five-Year Strategic Plan of the San Francisco Local Homeless Board titled "Toward Ending Homelessness in San Francisco: A Five Year Strategic Plan of the San Francisco Local Homeless Coordinating Board" is the City and County of San Francisco's official homeless policy document and governs the development of an integrated, effective and coordinated system of housing, health care, employment and support services to end homelessness.

Amended by replacing "2007-2012" with "2008-2013" throughout the legislation.
Supervisors Ammiano and Mirkarimi requested to be added as co-sponsors.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE

BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

ADOPTED AS AMENDED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Dufty

From the Land Use and Economic Development Committee Without Recommendation

080091 [Treasure Island Affordable Housing]

Resolution encouraging the Treasure Island Development Authority and Mayor's Office of Housing to explore how to increase the percentage of affordable housing to include 50% affordable housing in the Disposition and Development Agreement for the Former Naval Station Treasure Island.

Continued to June 10, 2008

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the

following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Recommendations of the Rules Committee

071299 [Updating a statutory reference in provision regarding settlement of minors' claims] **Supervisor Peskin**

Ordinance amending the San Francisco Administrative Code by amending Section 10.22-1, to update a statutory reference in a Code provision regarding the settlement of claims made against the City by minors.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

080195 [Extending the Joint City and School District Committee for one year] **Supervisors Peskin, Dufty, Ammiano**

Motion amending Rule 5.7 of the Board of Supervisors' Rules of Order to extend the term of the Joint City and School District Select Committee for one year.

Supervisor Ammiano requested to be added as co-sponsor.

Enacted Number: M08-33

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

080207	**[Appointment, Municipal Transportation Agency Board - Bruce Oka]**	**Mayor**

Motion confirming the appointment of Bruce Oka to the Municipal Transportation Agency Board of Directors, term ending March 1, 2012.

Enacted Number: M08-34

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

080208	**[Appointment, Municipal Transportation Agency Board - Malcolm Heinicke]**	**Mayor, Supervisor Dufty**

Motion confirming the appointment of Malcolm Heinicke to the Municipal Transportation Agency Board of Directors, term ending March 1, 2012.

Enacted Number: M08-35

APPROVED by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, McGoldrick, Sandoval
Noes: 3 - Daly, Mirkarimi, Peskin
Excused: 1 - Dufty

080215 [Appointment - Board of Appeals, Tanya Peterson]

Motion approving the Mayor's appointment of Tanya Peterson to the Board of Appeals for the term ending July 1, 2008.
(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - February 1, 2008).

Enacted Number: M08-36

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Supervisor Elsbernd Excused From Voting

Supervisor Chu, seconded by Supervisor McGoldrick, moved to excuse Supervisor Elsbernd from voting on this matter. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Dufty, Elsbernd

080165 [Appointment- Peninsula Corridor Joint Powers Board] **Supervisor Peskin**

Motion appointing Supervisor Sean R. Elsbernd to the Peninsula Corridor Joint Powers Board. (Supervisor Elsbernd was excused from voting in Committee).

Enacted Number: M08-30

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Dufty, Elsbernd

From the Rules Committee Without Recommendation

Supervisor Alioto-Pier was noted absent at 4:23 p.m.

071679 [Solar Energy Incentive Program]

Ordinance amending the Environment Code by adding Chapter 18 creating a Solar Energy Incentive Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator. (Assessor-Recorder)

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 7 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, Peskin, Sandoval
Noes: 3 - Daly, McGoldrick, Mirkarimi
Excused: 1 - Dufty

Board of Supervisors Sitting as a Committee of the Whole

080256 [Public Hearing - Certification of Appropriateness for alterations to the Board of Supervisors' Legislative Chamber]

Hearing on the Planning Commission's approval of Motion No. 17529 (Case No. 2007.1332A), Certificate of Appropriateness, in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot 001 in Assessor's Block 0787 - 1 Dr. Carlton B. Goodlett Place.

The President inquired as to whether any member of the public wished to address the Board members.
Sophie Middlebrook; Planning Department Representative
Susan Mizner, Mayor's Office of Disability
Don L. Whitney; expressed concern with issues relating to the cost associated with making the Chamber ADA compliant
Male speaker; expressed concern with issues relating to the cost associated with making the Chamber ADA compliant
Don Martinelli; support of the legislation but expressed concern with issues relating to the cost to make Chamber ADA compliant
Richard McRee; expressed concern with issues relating to the cost associated to make the Chamber ADA compliant
Francisco di Costa; expressed concern with issues relating to the ADA standards
The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

(Only one of the following two motions should be approved.)

080257 [Approving Planning Commission's approval for Certificate of Appropriateness regarding the alterations of the Board of Supervisors' Legislative Chamber]

Motion approving the Planning Commission's approval of Motion No. 17529 (Case No. 2007.1332A), Certificate of Appropriateness, in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot 001 in Assessor's Block 0787 - 1 Dr. Carlton B. Goodlett Place.

Continued to March 4, 2008

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

080258 [Disapproving Planning Commission's approval for Certificate of Appropriateness regarding the alterations of the Board of Supervisors' Legislative Chamber]

Motion disapproving the Planning Commission's approval of Motion No. 17529 (Case No.

2007.1332A), Certificate of Appropriateness, in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot 001 in Assessor's Block 0787 - 1 Dr. Carlton B. Goodlett Place.

Continued to March 4, 2008

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

It was decided to to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests.

Supervisor Mirkarimi introduced, welcomed and presented Certificate of Honors to Leola King, Carl Williams and Representatives of the Martin Luther King and Marcus Garvey Housing Cooperative Board in recognition of Black History Month.

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to representatives of the Peace Corps.
Supervisor Elsbernd introduced, welcomed and presented a Certificate of Honor to representatives of the Bay Area Red Cross in recognition of the Month of March as Red Cross Month.

SPECIAL ORDER 4:00 P.M.

071265 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 2721 Pierce Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 19, 2007, Case No. 2006.1415D, (Building Permit Application No. 2006.07.03.5586) is exempt from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15301 Class 1]. The proposal consists of adding two windows on the facade, removing a rear sun porch and adding a two-story rear addition at 2721 Pierce Street, Lot 006 in Assessor's Block 0560. (Appellants: Susan Brandt-Hawley on behalf of Judge Carlos Bea and Louise Bea)
(Filed August 31, 2007; Companion Files to 071266, 071267, 071268; District 2.)

The President inquired as to whether any member of the public wished to address the Board members.

Cornelia Griffith, Architect, provided documentation that the building permit had been withdrawn.
Billl Wycko, Planning Department indicated that the Planning Department would withdraw the Categorical Exemption.
President indicated that since the Categorical Exemption has been withdrawn that the Board had nothing before them to consider.

FILED.

SPECIAL ORDER 4:00 P.M.

070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and

enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.
(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)
(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

The President inquired as to whether any member of the public wished to address the Board members.
Continued to March 11, 2008

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Hearing be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

(Only one of the following two motions should be approved.)

070911 **[Affirming the Categorical Exemption issued for the 3424 Jackson Street project]**

Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to March 11, 2008

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

070912 [Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]

Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to March 11, 2008

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd,

Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

070913 **[Preparation of findings related to the 3424 Jackson Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to March 11, 2008

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

COMMITTEE REPORTS

080062 **[Regulating the permitted locations of new liquor stores and their conditions of operation]** **Supervisors Sandoval, Daly**

Motion ordering submitted to the voters an Ordinance authorizing amendment of the Planning

Code by adding Section 226.5 to impose a distance requirement of 500 feet or more between new off-sale liquor stores and existing liquor stores, schools, public libraries and recreation centers and establishing conditions for operation of liquor stores at an election to be held on June 3, 2008. (Economic Impact)

Supervisor Alioto-Pier requested to remove her name as a co-sponsor.
Supervisor Daly requested to be added as a co-sponsor.

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Dufty

Ordinance authorizing amendment of the Planning Code by adding Section 226.5 to impose a distance requirement of 500 feet or more between new off-sale liquor stores and existing liquor stores, schools, public libraries and recreation centers and establishing conditions for operation of liquor stores.

This matter was amended and referred to the Land Use & Economic Development Committee.
The new legislation will be referred to City Planning.

REFERRED to the Land Use and Economic Development Committee by the following vote:
Ayes: 9 - Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Dufty

080190 [Approval of Amendment to Security Guard Services Contract] **Supervisor Elsbernd**

Resolution approving Amendment to Armed and Unarmed Security Services Contract for Municipal Railway Revenue and Cost Accounting Divisions. (Fiscal Impact.)

Enacted Number: 79-08

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

080189 [Landmark Designation of 451 Jersey Street (Carnegie Noe Valley/Sally Brunn Branch Library)] **Supervisor Dufty**

Ordinance designating 451 Jersey Street, the Carnegie Noe Valley/Sally Brunn Branch Library, (Assessor's Block Number 6539, Lot Number 034), as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Dufty

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to *return to live coverage of the meeting.*

Abdulla Megaheed; expressed concern with issues relating to the homeless

James Chaffee; expressed concern with issues relating to the SF Public Library

Richard Stypmann; expressed concern with issues relating to SF Police violence

Dave Cohen: expressed concern with issues relating to the closure of patient's cooperative

Walter; expressed, in song, to the Board members general issues

John Di Donna; expressed concern with issues relating to violence against the youth

Reverend Webster; expressed concern with issues relating to the Community Centers

Terrie Frye; support of Item 52 (File No. 080198)

Liam Wood-Smith; support of Item 52 (File No. 080198)

Male speaker; support of Item 52 (File No. 080198)

Gilbert; support of Item 52 (File No. 080198)

Female speaker; expressed concern with issues *relating to the Mayor's Housing and condominium conversions*

Robert Magee; expressed concern with issues relating to the Mayor's Housing and condominium conversions

Ben Kuchiak; speaker; expressed concern with issues relating to the Mayor's Housing relating to the Gold Mine homeowners

Male speaker; expressed concern with issues relating to the Mayor's Housing relating to the Gold Mine homeowners

Marsh Wade; expressed concern with issues relating to the Mayor's Housing relating to the Gold Mine homeowners

Ms. Madulian; expressed concern with issues relating to the Mayor's Housing and condominium conversions

Richard McRee; expressed concern with issues relating to the his patent for the Sigmund Stern Grove

Female speaker, medical marijuana patient; support of Item 52 (File No. 080198)

Female speaker; expressed concern with issues relating to allowing the Blue Angels flying over San Francisco

Ann Garrison; expressed concern with issues relating *to allowing the Blue Angels flying over San Francisco*

Ron Templin; expressed concern with issues relating to medical marijuana users and providing safe places for these users

Don Martinelli; expressed concern with issues relating to medical marijuana users and providing safe places for these users

Michael Aldrich; support of Item 52 (File 080198)

Kathleen Bosnen; support of Item 52 (File 080198)

Female speaker; expressed concern with issues relating to the homeless

Ace Washington; expressed concern with issues relating to access to the Press Room for the African American media staff, Ella Hill Hutch and the Redevelopment Agency and issues relating to the Black Community

Male speaker; expressed concern with issues relating to the commercializing of Coit Tower

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for *adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.*

080241 **[Red Cross Month - March 2008]** **Supervisors Elsbernd, Chu**

Resolution proclaiming March 2008 as Red Cross Month in San Francisco.

Supervisor Chu requested to be added as a co-sponsor.

Enacted Number: 92-08

ADOPTED

080242 **[Honoring Marge Gambelin for her dedication and her work with the Planning Department of the City and County of San Francisco]** **Supervisor Dufty**

Resolution honoring Marge Gambelin for her dedication and her work with the Planning Department of the City and County of San Francisco.

Enacted Number: 93-08

ADOPTED

080243 **[Commendation of Equality California]** **Supervisors Sandoval, Ammiano, Dufty**

Resolution commending Equality California, the statewide organization that is championing equality for Lesbian, Gay, Bisexual, and Transgender people in California, on a successful 10th Anniversary 2008 Equality Awards Gala.

Enacted Number: 83-08

ADOPTED

080244 [Sidewalk Memorial Plaques] **Supervisors Daly, Mirkarimi**

Resolution urging the Department of Public Works to approve Mr. Ian Brennan's encroachment applications for installation of commemorative bronze sidewalk plaques.

Enacted Number: 98-08

ADOPTED

080245 [Declaring intent of the City and County of San Francisco with regard to pending legislation amending the Medical Cannabis Act of 2005] **Supervisors Daly, Ammiano, Mirkarimi**

Resolution declaring the intent of the City and County of San Francisco not to take enforcement action against those medical cannabis dispensaries that have properly applied for the necessary permits before August 17, 2007, while current legislation is pending to extend the deadline for obtaining final

MCD permits from the Department of Public Health.

Enacted Number: 82-08

ADOPTED

080247 [Supporting Earth Hour - March 29, 2008] **Supervisors Alioto-Pier, Elsbernd, Dufty, Chu**

Resolution to support extinguishing all non-essential lighting in all city government buildings, public schools and public landmarks for the hour between 8:00 PM and 9:00 PM on March 29, 2008 to conserve energy as part of the city-wide energy conservation event: Earth Hour San Francisco, and establishing March 29, 2008 as Earth Hour San Francisco Day.

Supervisor Chu requested to be added as a co-sponsor.

Enacted Number: 80-08

ADOPTED

080248 [Approval of an additional 90 day extension for Planning Commission review in order to allow for a Recreation and Parks Commission hearing] **Supervisor Mirkarimi**

Resolution extending by an additional 90 days the prescribed time within which the Planning Commission may render its decision on a proposed

Ordinance that would amend Sectional Map 2 of the Zoning Map of the City and County of San Francisco to a date within two weeks of the environmental review hearing for the same action. The proposed Ordinance would specifically change the use classification of Block 1098, Lot 9, located at the northwest corner of Divisadero and O'Farrell Streets, from Small-scale Neighborhood Commercial (NC-2) District to Moderate-scale Neighborhood Commercial (NC-3) District; and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

Enacted Number: 95-08

ADOPTED

080249 [Supporting the California Prevention of Farm Animal Cruelty Act] **Supervisor Ammiano**

Resolution supporting the California Prevention of Farm Animal Cruelty Act.

Enacted Number: 96-08

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Alioto-Pier

Excused: 1 - Dufty

Severed from the Without Reference to Committee Agenda

080259 [Committee of the Whole - February 26, 2008 for hearing on the Planning Commission's Certification of Appropriateness for alterations to the Board of Supervisors' Legislative Chamber]

Motion to sit as a Committee of the Whole for hearing on the Planning Commission's approval of Motion No. 17529 (Case No. 2007.1332A), Certificate of Appropriateness, in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot 001 in Assessor's Block 0787 - 1 Dr. Carlton B. Goodlett Place.

The President inquired as to whether any member of the public wished to address the Board.
There were none.
The President declared the public hearing closed.

Enacted Number: M08-39

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Supervisor Elsbernd requested that this matter be severed so that it might be considered.

080198 **[Condemning Drug Enforcement Agency Actions Against Property Owners Leasing Space to Medical Cannabis Dispensaries]** **Supervisors Daly, McGoldrick, Mirkarimi, Ammiano, Peskin**

Resolution reaffirming that the City and County of San Francisco is a sanctuary for medical cannabis, an integral component of which are property owners who, pursuant to City regulations, lease space to authorized Medical Cannabis Dispensaries ("MCD"s) that provide needed services to qualified medical cannabis patients and their caregivers, and that the City vehemently condemns the Drug Enforcement Agency (DEA) for issuing sensational letters to these property owners threatening asset forfeiture and imprisonment.

Supervisor Elsbernd, seconded by Supervisor Daly, moved to waive the Board Rule 3.11.
Motion to waive Board Rule 3.11 was passed without objection.

Enacted Number: 81-08

ADOPTED by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Chu, Elsbernd

Absent: 1 - Alioto-Pier
Excused: 1 - Dufty

Supervisor Elsbernd requested that this matter be severed so that it might be considered.

080246 [Lifting time limits in rental subsidy program for low income families] **Supervisors Daly, Ammiano, Mirkarimi**

Resolution calling on the Human Services Agency (HSA) to remove the arbitrary time limit in its local housing subsidy for homeless families and to make the timeline for this subsidy need-based.

Continued to March 4, 2008

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

OFF-AGENDA LEGISLATION

Ordinances

080272 [Requiring registered lobbyists to wear identification badges when making lobbying **Supervisor Daly**

contacts]

Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by adding section 2.113 to require registered lobbyists to wear identification badges distributed by the Ethics Commission when making lobbying contacts.

2/26/08, RECEIVED AND ASSIGNED to Rules Committee.

080273 [Incentives for Family-sized Affordable Housing Units] **Supervisors Dufty, Peskin, Maxwell, Mirkarimi**

Ordinance amending the Residential Inclusionary Affordable Housing Program, including Planning Code Section 315.9 to allow for density bonuses to project applicants who develop on-site, affordable family-sized units as defined herein as part of their inclusionary housing requirements; and the addition of Planning Code Section 315.10 regarding severability.

2/26/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/24/2008.

080274 [Administrative Code Revision: Health Service System] **Supervisor Elsbernd**

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board

approval of Health Service System Plans and Contribution Rates.
(Fiscal Impact.)
2/26/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080277	**[Administrative Code Chapter 6 - technical amendments and amendments to contracting procedures]** Ordinance amending San Francisco Administrative Code Chapter 6 to correct typographical errors in subsections 6.22(B) and 6.22(H)(2)(d), to clarify and revise subsection 6.22(J) concerning retention of progressive payments, to clarify and revise subsection 6.23(C) concerning the rejection or failure of bids, to revise section 6.61 concerning design-build contracting procedures, and to add a new section 6.28 authorizing the use of integrated project delivery. 2/26/08, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 3/24/2008.	**Supervisor Chu**
080278	**[Clarifying when the Ethics Commission must raise the individual expenditure ceilings in the partial public financing program for candidates for Mayor and the Board of Supervisors, and correcting**	**Supervisor Daly**

minor drafting errors]

Ordinance amending sections 1.108, 1.134.5, and 1.144 of the Campaign and Governmental Conduct Code, to clarify when the Executive Director of the Ethics Commission shall raise the Individual Expenditure Ceiling for a candidate for Mayor or the Board of Supervisors and to make technical corrections.

2/26/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/24/2008.

080279 [Landmark Designation of 900 Innes Avenue (Hunter's Point School] **Supervisor Maxwell**

Ordinance designating 900 Innes Avenue (Hunter's Point School) as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

2/26/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080280 [Zoning - Repeal of the interim moratorium on institutional uses in the Western SoMa] **Supervisor Peskin**

Ordinance repealing the interim zoning moratorium that prohibits the establishment of specified new institutional uses in the Western SoMa Planning Area Special Use District.

2/26/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080281 [Building Code - Slope Protection Act] **Supervisor Peskin**

Ordinance amending the San Francisco Building Code by adding Sections 106A.4.1.4 et seq. to establish the Slope Protection Act and create procedures that require the Structural Advisory Committee to review and make recommendations on specified permit applications for all property within the City that exceeds an average slope of 25% grade, and to require mandatory denial of the permit by the Building Official under specified circumstances; amending Section 105A.6.2 to specify the composition of the Structural Advisory Committee for permit applications subject to the Slope Protection Act; amending Building Code Section 106A.3.2 to require that the applicant for certain permit applications subject to the Slope Protection Act provide substantial documentation that there exists sufficient infrastructure to support the proposed residential development and that the proposed emergency access routes meet standards in effect at the time of the application; amending Building Code Section 1701A.5 to require special inspections throughout the construction process for sites subject to the Slope Protection Act.

2/26/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/24/2008.

080282 [Off-Site Residential **Supervisor**

Inclusionary Affordable Housing Requirements] **Sandoval**

Ordinance amending Section 315.5 of the Planning Code to provide that twenty-five percent of off-site units given site permits annually may be built outside of the currently-required one-mile radius from the market-rate project, and to provide that off-site units cannot be located in industrially-zoned areas or within a quarter mile of developments containing 200 or more publicly-owned and operated affordable housing developments.

2/26/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/24/2008.

080283 [San Francisco Special Tax Financing Law] **Supervisor Sandoval**

Ordinance amending the San Francisco Administrative Code by adding Article 43.10, Sections 43.10.1 through 43.10.23, to enact the Special Tax Financing Law establishing procedures for the formation of special tax districts, the imposition of special taxes and the issuance of bonds secured by such special tax funds.

2/26/08, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 3/24/2008.

080231 [Driving-experience requirements for taxi medallion applicants] **Supervisor Daly**

Ordinance amending the San Francisco Police Code by amending Section 1121, to adjust the driving-experience requirements for taxi medallion applicants.

2/12/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 3/13/2008.

2/26/08, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

2/26/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 3/13/2008.

Resolutions

080275 [Establishing Monthly Contribution Amount] **Supervisor Elsbernd**

Resolution establishing monthly contribution amount to Health Service Trust Fund.

(Fiscal Impact.)

2/26/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080276 [Accept-Expend Grant, Mayor's Office of Criminal Justice (MOCJ) - $287,150] **Supervisor Elsbernd**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $287,150 from the California Corrections Standards Authority for the purpose of

enhancing the capacity of San Francisco to implement an effective continuum of response to juvenile crime and delinquency.
2/26/08, RECEIVED AND ASSIGNED to Public Safety Committee.

080284 [Bond Sale of Branch Library General Obligation Bonds] **Mayor, Supervisors Peskin, Alioto-Pier**

Resolution Authorizing and Directing the Sale of Not to Exceed $31,065,000 City and County of San Francisco General Obligation Bonds (Branch Library Facilities Improvement Bonds, 2000) Series 2008A; Prescribing the Form and Terms of Said Bonds; Authorizing the Execution, Authentication and Registration of Said Bonds; Providing for the Appointment of Depositories and Other Agents for Said Bonds; Providing For the Establishment of Accounts Related Thereto; Approving the Forms of Official Notice of Sale and Notice of Intention to Sell Bonds; Directing the Publication of the Notice of Intention to Sell Bonds; Approving the Form and Execution of the Official Statement Relating Thereto; Approving the Form of the Continuing Disclosure Certificate; Approving Modifications to Documents; Ratifying Certain Actions Previously Taken; and Granting General Authority to City Officials to Take Necessary Actions in Connection with the Authorization, Issuance, Sale and Delivery of Said Bonds.

2/26/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080285 [Noe Valley/Sally Brunn Branch Library re-opening] **Supervisor Dufty**

Resolution recognizing the grand re-opening of the Noe Valley/Sally Brunn Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

2/26/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080286 [Support of bill designating safety enhancement-double fine zones] **Supervisors Chu, Elsbernd, McGoldrick, Mirkarimi**

Resolution supporting SB 1419, a bill to designate safety enhancement-double fine zones along State Highway Route 1 from Junipero Serra Boulevard to Lake Street and urging the California Legislature to pass the bill.

2/26/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080287 [Adopting the U.S. Cool Counties Climate Stabilization Declaration] **Supervisor Daly**

Resolution adopting the U.S. Cool Counties Climate Stabilization Declaration

2/26/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080288	**[Commending the American Academy of Orthopedic Surgeons, the Friends of Balboa Park Playground, KaBOOM! and the Neighborhood Parks Council]**	**Supervisor Sandoval**

Resolution commending the American Academy of Orthopedic Surgeons, the Friends of Balboa Park Playground, KaBOOM! and the Neighborhood Parks Council for their efforts to replace the Balboa Park Playground.

2/26/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080289	**[Mountain Lake Park - Toxic Issues]**	**Supervisors Alioto-Pier, McGoldrick**

Resolution urging the Presidio Trust and Caltrans to immediately resolve the toxicity issue at Mountain Lake through further testing, clean up and diversion measures; and urging the Recreation and Park Department to immediately post signs warning residents that Mountain Lake has been designated a toxic clean up site.

2/26/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080292 [Grant funds to support HIV vaccine trials] **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to enter retroactively into an agreement and to accept and expend funds in the amount of $78,943, with the Fred Hutchinson Cancer Research Center (FHCRC), the primary contractor, to support the San Francisco HIV Vaccine Trials Network (VTN) Scholars Group/Public Health Foundation Enterprises (PHFE); for the period of June 1, 2007 through May 31, 2008.

2/26/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080293 [Accept-Expend Private Foundation Grant - Department of the District Attorney] **Supervisor Alioto-Pier**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to accept and expend a grant in the amount of $64,500 from the Kaiser Permanente Northern California Community Grants Program for a program entitled "Back on Track" for fiscal year 2007/2008.

2/26/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

080271 [CitiApartment] **Supervisor Daly**

Hearing on CityApartment's rate of property acquisition, tenant relations, code violations, and the status report from the City Attorney's office on the City's pending litigation.

2/26/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Motions

080291 [Amending the FY 2007-2008 schedule of audits to be conducted of programs of City and County departments by the Budget Analyst] **Supervisor Mirkarimi**

Motion amending the FY 2007-2008 schedule of audits to be conducted of programs of City and County departments by the Budget Analyst to include a survey of City Departments and analysis of the number and cost of positions performing public relations - public information including the justification for such positions.

2/26/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080294 [Confirming the re-appointment of London Breed to the San Francisco Redevelopment Agency] **Mayor**

Motion confirming the re-appointment of London Breed to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2011.

2/26/08, RECEIVED AND ASSIGNED to Rules Committee.

080295 [Confirming the re-appointment of Darshan Singh to the San Francisco Redevelopment Agency] **Mayor**

Motion confirming the re-appointment of Darshan Singh to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2011.

2/27/08, RECEIVED AND ASSIGNED to Rules Committee.

080296 [Authorizing preparation of Proponent/Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 3, 2008 Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 3, 2008 Election.

PROPOSED ORDINANCES

080178 [Settlement of Lawsuit - Lydia Jones]

Ordinance authorizing settlement of the lawsuit filed by Lydia Jones against the City and County of San Francisco for $65,000.00; the lawsuit was filed on October 23, 2006 in San Francisco Superior Court, Case No. CGC-06-457229; entitled Lydia Jones v. City and County of San Francisco, et al. (City Attorney)

2/7/08, RECEIVED AND ASSIGNED to Rules Committee.

080179 [Settlement of Lawsuit - Susan Sponseller]

Ordinance authorizing settlement of the lawsuit filed by Susan Sponseller against the City and County of San Francisco for $100,000; the lawsuit was filed on January 24, 2007 in San Francisco Superior Court, Case No. 459858; entitled Susan Sponseller v. City and County of San Francisco, et al. (City Attorney)

2/7/08, RECEIVED AND ASSIGNED to Rules Committee.

080180 [Settlement of Lawsuit - Kelly Medora]

Ordinance authorizing settlement of the lawsuit filed by Kelly Medora against the City and County of San Francisco for $235,000; the lawsuit was filed on January 27, 2006 in United States District Court, Northern District of California, Case No. C06-00558 EDL; entitled Kelly Medora, et al., v. City and County of San Francisco, et al. (City Attorney)
2/7/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

080181 [Gift - Private, Department of Public Health - $104,538]

Resolution authorizing the Department of Public Health to retroactively accept a gift from the San Francisco General Hospital Foundation with a monetary value of $104,538 to back fill-staff attending training designed to decrease the risk of cardiovascular events (heart attacks and strokes) for the period of January 1, 2008 though December 31, 2010. (Public Health Department)
2/6/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080222 [Gift - Private, Public Health Department - Data Center and Electronic Medication

Administration Record System]
Resolution authorizing the Public Health Department to accept a gift of a Data Center and an Electronic Medication Administration Record System for the San Francisco General Hospital (SFGH) from the San Francisco Hospital Foundation (SFGH Foundation). (Public Health Department)
2/6/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080223 [Street Encroachments on Ocean Avenue at Granada Avenue]
Resolution granting revocable permission to San Francisco Arts Commission to occupy a portion of the public right-of-way to install and maintain two mosaic sun spheres, one three feet, and one four feet in diameter near the northeasterly and southwesterly corners of Ocean Avenue and Granada Avenue, and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)
2/11/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080224 [Gift of Equipment to Fire Department]
Resolution authorizing the San Francisco Fire Department to accept a gift of a fifteen Porto2Vent Continuous Positive Air Pressure Devices and

Backpacks valued at $19,050 from Emergent Technologies for use by Fire Department employees who provide ambulance services in the City. (Fire Department)

2/11/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080262 [Approval of the Substance Abuse and Crime Prevention Act of 2000-Implementation Plan]

Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 for Fiscal Year 2007-2008. (Public Health Department)

2/14/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Department requests that the item be referred to Budget and Finance Committee.

080263 [Lease of Real Property at 1740 Cesar Chavez Street]

Resolution authorizing a new lease of approximately 7,680 square feet at 1740 Cesar Chavez Street for the Department of Human Resources (DHR) for a term of five years. (Real Estate Department) (Fiscal Impact.)

2/15/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:
Light Boxes:
-Northeast corner of Page and Divisadero
Phone Switch Boxes:
-Northwest corner of Grove and Webster
-Northeast corner of Webster and Hayes
-Southeast corner of Fell and Webster
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:
SF Weekly:
-Northeast corner of Divisadero and McAllister
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:
Fire Hydrant:
-Southeast corner of Octavia and Grove
Curb Edge:
-Northwest corner of Grove and Webster
-Southeast corner of Hayes and Steiner
Walkways/Stairwells:
-Near 1145 Hayes Street
-Across from 1145 Hayes Street on the Alamo Park side of the street

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from mailboxes and garbage cans at the following locations:
Mailboxes:
-Southwest corner of Hayes and Fillmore
-Northwest corner of Steiner and Fulton
-Northeast corner of McAllister and Scott
-Southeast corner of McAllister and Pierce
-Southeast corner of Fillmore and Oak
-Northeast corner of Oak and Gough
-Southwest corner of Haight and Gough
Garbage Cans:
-Northeast corner of McAllister and Broderick
-Southwest corner of Hayes and Buchanan
-Northeast corner of Grove and Fillmore
-Southwest corner of Fulton and Steiner
-Northwest corner of Hayes and Steiner
-Southeast corner of Fillmore and Hayes
-Near 700 Hayes
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:
-650 Steiner
-906-916 Hayes
-957 Hayes
-929-931 Hayes
-867 Fell
-661-665 Fillmore (plus ATM sign)

-539 Octavia
-899 Grove
-668-678 Lyon
-1372 McAllister
-1555-1559 McAllister
-1577 McAllister
-1670 McAllister
-1697 McAllister
-1849 McAllister

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at following locations:

Potholes:

Numerous potholes on the 800 block of Fell

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Wood:

-Southwest corner of Fulton and Broderick

Metal:

-969 Hayes
-690 Hayes
-1249 Hayes
-1856 McAllister
-1712-1722 McAllister
-1677 McAllister
-815 Webster
-Northwest corner of Fulton and Broderick

From: Supervisor Mirkarimi
To: Director, Department of Recreation and Park
Requesting/Inquiring: Requesting the Department of Recreation and Park to report on the status of removing graffiti from Hayes Valley Playground walls.
From: Supervisor Sandoval
To: Clerk, Board of Supervisors
Requesting/Inquiring: Requesting the Clerk of the Board of Supervisors to write a letter to the Planning Department requesting the Planning Department to respond to the following questions concerning the legislated setback at 679 Lisbon Street (Planning Code Section 132):

a. *What is the history of this legislated setback?*
b. *Why does this setback require a legislated abolishment rather than having the option of appeal before the Planning Commission by the project sponsor?*
c. *Would the Planning Department support legislation abolishing the legislated setback at 679 Lisbon Street?*

Requesting the Clerk of the Board of Supervisors to send a copy of the letter to:
Robert Trumbull, Homeowner
679 Lisbon Street
San Francisco, CA 94112
Bill Mahar
Mahar Architects
2411 Carlmont Drive, #108
Belmont, CA 94002

In Memoriams

Fergus McEleny - Supervisor Elsbernd
Bill Wolf - Supervisor Ammiano

Bob Young - Supervisor Peskin
Lawrence King - Supervisor Sandoval

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:43 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on March 11, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site /bdsupvrs_index.asp?id=4383For information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

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(Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the

Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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March 04, 2008

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, March 4, 2008

2:00 PM

Legislative Chamber - Second Floor

Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll all Supervisors were noted present. There was a quorum present.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

071671 [De-appropriating $50,000 Golden Gate Park Stables **Supervisor McGoldrick**

General Fund project and Re-appropriating $50,000 for Golf Course Recreational Study at Recreation and Park for Fiscal Year 2007-2008]

Ordinance de-appropriating $50,000 of General Fund from the Golden Gate Park Stables Project and re-appropriating $50,000 of General Fund for a Recreational Opportunity Study at San Francisco Golf Courses in the Department of Recreation and Park for Fiscal Year 2007-2008.

Enacted Number: 28-08

FINALLY PASSED

080098 **[Appropriating $55,000,000 of Commercial Paper revenue for Terminal Improvements T2 Boarding Area D renovations at the San Francisco Airport for Fiscal Year 2007-2008]** **Mayor**

Ordinance appropriating $55,000,000 of commercial paper revenues for Renovations to the terminal two boarding area D at the San Francisco Airport for Fiscal Year 2007-2008. (Mayor)
(Fiscal Impact.)

Enacted Number: 29-08

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

080189 [Landmark Designation of 451 Jersey Street (Carnegie Noe Valley/Sally Brunn Branch Library)] **Supervisor Dufty**

Ordinance designating 451 Jersey Street, the Carnegie Noe Valley/Sally Brunn Branch Library, (Assessor's Block Number 6539, Lot Number 034), as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

Enacted Number: 30-08

FINALLY PASSED

Recommendations of the Rules Committee

071299 [Updating a statutory reference in provision regarding settlement of minors' claims] **Supervisor Peskin**

Ordinance amending the San Francisco Administrative Code by amending Section 10.22-1, to update a statutory reference in a Code provision regarding the settlement of claims made against the City by minors.

Enacted Number: 27-08

FINALLY PASSED

080136 [Approving Settlement with the California Independent System Operator and adopting the First Amended and Restated Operating Agreement]

Ordinance authorizing settlement of proceedings initiated by the California Independent System Operator before the Federal Energy Regulatory Commission in Docket No. ER06-227-000 to establish operational, scheduling and settlement requirements for certain City electrical transmission transactions and adopting the First Amended and Restated Operating Agreement. (City Attorney)

Enacted Number: 31-08

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

071536 **[Access to and retention of community safety camera recordings]** **Supervisors Sandoval, Mirkarimi**

Ordinance amending the San Francisco Administrative Code by amending Section 19.3 to allow the Public Defender and other criminal defense attorneys, investigators and the District Attorney to obtain community safety camera recordings for particular purposes; and amending Section 19.6 to specify the procedures for the Public Defender and other criminal defense attorneys and investigators to request community safety camera recordings and to require that the Department of Telecommunications and Information Services retain the recordings for at least 30 days but not more than 30 days.

Enacted Number: 32-08

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 3 - Alioto-Pier, Chu, Elsbernd

From the Board

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

(Only one of the following two motions should be approved.)

080257 [Approving Planning Commission's approval for Certificate of Appropriateness regarding the alterations of the Board of Supervisors' Legislative Chamber]

Motion approving the Planning Commission's approval of Motion No. 17529 (Case No. 2007.1332A), Certificate of Appropriateness, in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot 001 in Assessor's Block 0787 - 1 Dr. Carlton B. Goodlett Place.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved to continue this matter to March 18, 2009.
Motion to continue this matter to March 18, 2008 failed by the following vote:
Ayes: 5 - Daly, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 6 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Sandoval
Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved to approve File No. 080257 (Item 7) and table File No. 080258 (Item 8).
Motion failed by the following vote:
Ayes: 5 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd
Noes: 6 - Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor McGoldrick, seconded by Supervisor Daly, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 6 - Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 5 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd

080258 **[Disapproving Planning Commission's approval for Certificate of Appropriateness regarding the alterations of the Board of Supervisors' Legislative Chamber]**

Motion disapproving the Planning Commission's approval of Motion No. 17529 (Case No. 2007.1332A), Certificate of Appropriateness, in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot 001 in Assessor's Block 0787 - 1 Dr. Carlton B. Goodlett Place.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved to continue this matter to March 18, 2009.
Motion to continue this matter to March 18, 2008 failed by the following vote:
Ayes: 5 - Daly, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 6 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Sandoval
Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved to approve File No. 080257 (Item 7) and table File No. 080258 (Item 8).
Motion failed by the following vote:
Ayes: 5 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd
Noes: 6 - Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Enacted Number: M08-43

Supervisor McGoldrick, seconded by Supervisor Daly, moved that this Motion be APPROVED.
The motion carried by the following vote:
Ayes: 6 - Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 5 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd

From the Rules Committee Without Recommendation

071679 [Solar Energy Incentive Program]

Ordinance amending the Environment Code by adding Chapter 18 creating a Solar Energy Incentive Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator. (Assessor-Recorder)

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Ordinance be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 4 - Alioto-Pier, Chu, Elsbernd, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

080191 [Mortgage Revenue Bonds] Supervisor Mirkarimi

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $12,000,000 for 850 Broderick Street (Zygmunt Arendt House); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $60,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $12,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Enacted Number: 99-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080099 [Appropriating $34,896,162 of bond sale proceeds, interest and property rental revenues for improvements and construction of San Francisco Public Library Facilities Fiscal Year 2007-2008] **Mayor**

Ordinance appropriating $31,065,000 of bond sale proceeds from the 2000 Branch Library Improvement Program Bond - 4th Series, $3,679,362 in bond interest earned and $151,800 in rent monies to fund the improvement and construction of the San Francisco Public Library Facilities for Fiscal year 2007-08. Place Controller's Reserve on $31,065,000 of the bond sale proceeds pending sale of the bond.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080159 [Issuance and Sale of Tax-Exempt Bonds - Lyc,e Fran‡ais Lap,rouse] **Supervisor Chu**

Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $2,000,000 to finance the acquisition, construction, improvement and/or equipping of facilities owned by Lyc,e Fran‡ais Lap,rouse or an affiliate and certain other matters relating thereto.

Enacted Number: 107-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Budget and Finance Committee Without Recommendation

080193 **[Appropriating $2,263,846 of General Fund Reserve for Indigent Defense Expenses in the Superior Court for Fiscal Year 2007-2008]** **Supervisor Maxwell**

Ordinance appropriating $2,263,846 of General Fund Reserve to fund unanticipated increased costs of indigent defense expenses associated with People v. Bell as well as adult criminal and juvenile delinquency cases in the Superior Court of California for Fiscal Year 2007-2008.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd

Recommendation of the Government

Audit and Oversight Committee

080234	**[Directing the Budget Analyst to conduct a managerial audit of the First Offender Prostitution Program]**	**Supervisor McGoldrick**

Motion directing the Budget Analyst to conduct a managerial audit on the First Offender Prostitution Program (FOPP), a diversion program of Standing Against Global Exploitation (SAGE).
(Supervisor Elsbernd dissented in committee.)

Enacted Number: M08-41

APPROVED by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, McGoldrick, Mirkarimi
Noes: 4 - Elsbernd, Maxwell, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

Supervisors Daly and Dufty Excused From Voting

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved to excuse Supervisors Daly and Dufty at their request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

071156	**[Planning Code Amendments to implement the Van Ness and Market Downtown Residential Special Use District]**	**Supervisor Mirkarimi**

Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by adding Section 249.33 to establish the Van Ness and Market Downtown Residential Special Use District (VNMDR-SUD); and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.
8/13/07 - Economic Impact.

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE to the Land Use and Economic Development Committee. The motion carried by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by adding Section 249.33 to establish the

Van Ness and Market Downtown Residential Special Use District (VNMDR-SUD); including providing that projects in the VNMDR-SUD may exceed allowable Floor Area Ratio (FAR) up to a certain ratio by paying $30 per gross square foot into the Citywide Affordable Housing Fund but not by acquiring Transferable Development Rights (TDRs); and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

Re-referred as amended to the Land Use and Economic Development Committee.
The amended legislation will be referred to the Planning Department as soon as it is available

RE-REFERRED to the Land Use and Economic Development Committee by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

071157 [Planning Code Amendments to implement the Market and Octavia Area Plan] **Supervisor Mirkarimi**

Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by amending Section 102.5 (District); Section 121.1 (Development on Large Lots, Neighborhood Commercial Districts); Section 121.2 (Use Size Limits (Non-Residential), Neighborhood Commercial Districts); Section 124 (Basic Floor Area Ratio); Section 132 (Front

Setback); Section 134 (Rear Yards); Section 135 (Usable Open Space For Dwelling Units and Group Housing); Section 144 (Treatment of Ground Story On Street Frontages); Section 145.1 (Street Frontages, Neighborhood Commercial Districts); Section 145.4 (Street Frontages Downtown and Mixed-Use Districts); Section 151.1 (Schedule of Required Off-Street Parking Spaces); Section 152. (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market); Section 153 (Rules for Calculation of Required Spaces); Section 154 (Minimum dimensions for required off-street parking, freight loading and service vehicle spaces); Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities); Section 156 (Parking Lots); Section 166 (Requirements for Provision of Car-Share Parking Spaces); Section 167 (Parking Costs Separated from Housing Costs in New Residential Buildings); Section 201 (Classes of Use Districts); Section 207.1. (Rules For Calculation Of Dwelling Unit Densities); Section 207.4 (Density of Dwelling Units in Neighborhood Commercial Districts); Section 208 (Density Limitations for Group Housing); Section 209.1-209.9 (Uses Permitted in RTO Districts); Section 234.2 (Requiring CU Authorization for specified uses in P Districts within the Market and Octavia Neighborhood Area); Section 253 (Review of Proposed Buildings and Structures Exceeding a Height of 40 Feet in R Districts); Section 270 (Bulk

Limits: Measurement); Section 303 (Conditional Uses: Determination); Section 304 (Planned Unit Developments: Criteria and Limitations); Section 311 (Residential Permit Review Procedures for RH and RM Districts: Applicability); Section 315 (Inclusionary Housing requirements) including adding a $10 per square foot fee on new residential development in the Plan Area in addition to the existing inclusionary housing requirements; Section 316 (Procedures for Conditional Use Authorization in Neighborhood Commercial and South of Market Districts and for Live/Work Units in RH, RM, and RTO Districts); Section 603 (Exempted Signs); Section 606 (Residential Districts); Section 702.1 (Neighborhood Commercial Use Districts); Section 720.1 (Hayes-Gough Neighborhood Commercial Transit District) to conform these sections with the new VNMDR-SUD, NCT and RTO district controls; and adding new zoning districts and a new special use district including Section 121.5 to establish controls for Development on Large Lots in Residential Districts; Section 121.6 to restrict lot mergers in residential districts and on pedestrian-oriented streets; Section 158.1 related to Non-accessory Parking Garages in NCT and RTO Districts and the Van Ness and Market Downtown Residential Special Use District; Section 206.4 to establish the Transit-Oriented Residential District (RTO); Section 207.6 related to Required Minimum Dwelling Unit Mix and Unit Subdivision Restrictions in RTO and NCT Districts;

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

Re-referred as amended to the Land Use and Economic Development Committee.
The amended legislation will be referred to the Planning Department as soon as it is available.

RE-REFERRED to the Land Use and Economic Development Committee.

080255 [Planning Code Amendments to implement the Market and Octavia Area Plan] **Supervisor McGoldrick**

Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by amending Section 102.5 (District); Section 121.1 (Development on Large Lots, Neighborhood Commercial Districts); Section 121.2 (Use Size Limits (Non-Residential), Neighborhood Commercial Districts); Section 124 (Basic Floor Area Ratio); Section 132 (Front Setback); Section 134 (Rear Yards); Section 135 (Usable Open Space For Dwelling Units and Group Housing); Section 144 (Treatment of Ground Story On Street Frontages); Section 145.1 (Street

Frontages, Neighborhood Commercial Districts); Section 145.4 (Street Frontages Downtown and Mixed-Use Districts); Section 151.1 (Schedule of Required Off-Street Parking Spaces); Section 152. (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market); Section 153 (Rules for Calculation of Required Spaces); Section 154 (Minimum dimensions for required off-street parking, freight loading and service vehicle spaces); Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities); Section 156 (Parking Lots); Section 166 (Requirements for Provision of Car-Share Parking Spaces); Section 167 (Parking Costs Separated from Housing Costs in New Residential Buildings); Section 201 (Classes of Use Districts); Section 207.1. (Rules For Calculation Of Dwelling Unit Densities); Section 207.4 (Density of Dwelling Units in Neighborhood Commercial Districts); Section 208 (Density Limitations for Group Housing); Section 209.1-209.9 (Uses Permitted in RTO Districts); Section 234.2 (Requiring CU Authorization for specified uses in P Districts within the Market and Octavia Neighborhood Area); Section 253 (Review of Proposed Buildings and Structures Exceeding a Height of 40 Feet in R Districts); Section 270 (Bulk Limits: Measurement); Section 303 (Conditional Uses: Determination); Section 304 (Planned Unit Developments: Criteria and Limitations); Section 311 (Residential Permit Review Procedures for RH and RM Districts: Applicability); Section 315 (Inclusionary Housing requirements) including adding a $10 per square foot fee on new residential development in the Plan Area in addition to the existing inclusionary housing requirements; Section 316 (Procedures for Conditional Use Authorization in Neighborhood Commercial and South of Market Districts and for Live/Work Units in RH, RM, and RTO Districts); Section 603 (Exempted Signs); Section 606 (Residential Districts); Section 702.1 (Neighborhood Commercial Use Districts); Section 720.1 (Hayes-Gough Neighborhood Commercial Transit District) to conform these sections with the new VNMDR-SUD, NCT and RTO district controls; and adding new zoning districts and a new special use district including Section 121.5 to establish controls for Development on Large Lots in Residential Districts; Section 121.6 to restrict lot mergers in residential districts and on pedestrian-oriented streets; Section 158.1 related to Non-accessory Parking Garages in NCT and RTO Districts and the Van Ness and Market Downtown Residential Special Use District; Section 206.4 to establish the Transit-Oriented Residential District (RTO); Section 207.6 related to Required Minimum Dwelling Unit Mix and Unit Subdivision Restrictions in RTO and NCT Districts;

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Ordinance be RE-REFERRED to the Land Use and Economic Development Committee. The motion carried by

the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

071159 [Zoning Map Amendment in connection with the Market and Octavia Area Plan] **Supervisor Mirkarimi**

Ordinance amending Zoning Map Sheets 2, 2H, 2SU and 7, 7H, and 7SU of the City and County of San Francisco Planning Code to eliminate use districts and height and bulk districts within the Market and Octavia Plan Area; replacing them with revised use districts, height and bulk districts, and special use districts, consistent with those proposed in the Market and Octavia Area Plan; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.
(Economic Impact)

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Ordinance be RE-REFERRED to the Land Use and Economic Development Committee. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

071522 [Residential Rent Ordinance: **Supervisors**

	Sellers and Purchasers to Give Tenants Written Disclosure of Rights Before and After Sale of the Rental Property]	**Daly, Sandoval, McGoldrick**

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by adding subsection (j) to Section 37.9, to provide that tenants in units subject to Section 37.9 be given written disclosure of specified rights by sellers and purchasers before and after the sale of such property.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

Recommendations of the Rules Committee

Supervisor Ammiano was noted absent at 5:54 p.m.

080155	**[Extending the term of service for the Power Plant Task Force]**	**Supervisor Maxwell**

Resolution to extend the expiration date of the Power Plant Task Force from June 1, 2007 to December 31, 2009.

Enacted Number:	100-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

080239 [Appointment, Planning Commission - Christina Olague] **Supervisor Peskin**

Motion approving the Board of Supervisors President Peskin's nomination of Christina Olague to the Planning Commission term ending July 1, 2012. (Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 080240.) Transmittal date - February 12, 2008.

Enacted Number: M08-42

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Dufty, seconded by Supervisor Ammiano, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Mirkarimi introduced, welcomed and presented a Certificate of Honor to Madeline Behrens-Brighams in recognition of Women Making History.
Supervisor Elsbernd introduced, welcomed and presented a Certificate of Honors to Mary Flynn in recognition of Women Making History.
Supervisor Chu introduced, welcomed and presented a Certificate of Honor to San Police Officer Mary Burns in recognition of Women Making History.
Supervisor Maxwell introduced, welcomed and presented a Certificate of Honor to Pat Coleman in recognition of Women Making History.
Supervisor Ammiano introduced, welcomed and presented a Certificate of Honors to Jennifer Friedenbach in recognition of Women Making History.
Supervisor Sandoval introduced, welcomed and presented a Certificate of Honor to Aurora Grajeda in recognition of Women Making History.
Supervisor Alioto-Pier introduced, welcomed and presented Certificate of Honor to Gabriel Jackson Renstrom in recognition of Women Making History.

Supervisor Daly introduced, welcomed and presented a Certificate of Honor to Christine Morrison in recognition of Women Making History.

Supervisor Dufty introduced, welcomed and presented a Certificate of Honor to Rebecca Prozan in recognition of Women Making History.

Supervisor McGoldrick introduced, welcomed and presented a Certificate of Honor to Debra Walker in recognition of Women Making History.

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to Judy Irving in recognition of Women Making History.

SPECIAL ORDER 4:00 P.M.

Supervisor McGoldrick was noted absent at 5:22 p.m.
Supervisor McGoldrick was noted present at 5:37 p.m.

Supervisor Dufty Excused From Voting

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved to excuse Supervisor Dufty, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

080211 [Public Hearing - Appeal, Final Environmental Impact Report for 55 Laguna Street Mixed Use

Project]

Hearing of persons interested in or objecting to the decision of the Planning Commission's January 17, 2008, certification of a Final Environmental Impact Report identified as Case No. 2004.0773E, through its Motion No. M-17532, for the proposed 55 Laguna Street Mixed Use Project, Lots 001, 002, and 003 in Assessor's Block 0870 and Lots 001, and 01A in Assessor's Block 0857. (Appellant: Cynthia Servetnick, Director, Save the Laguna Street Campus.)
(Filed February 6, 2008; companion measure to Files 080212, 080213, 080214; District 8.)

The President inquired as to whether any member of the public wished to address the Board members.
Tomar Colby, Appellant Representative
Steve Setlzer; support of the appellant
Richard McCreer; support of the appellant
Mark Paez; support of the appellant
Jack Gold; support of the appellant
Allen Martinez; support of the appellant
Vincent Marsh; support of the appellant
Bill Wycko; Representative of the Planning Department reviewed the Planning Department's recommendation.
Steve Vittel, Representative of the project sponsor
Elaine Alverson; support of the project sponsor
Male speaker; support of the project sponsor
Leslier Riser; support of the project sponsor
Male speaker; support of the project sponsor
Male speaker; support of the project sponsor

Ray Rudolph; support of the project sponsor
Rebuttal Period:
Cynthia Servetnic, Save the Laguna Street Campus, Appellant
President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

080212 [Affirming certification of 55 Laguna Street Mixed Use Project FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 55 Laguna Street Mixed Use Project.

Enacted Number: M08-40

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Motion be APPROVED. The motion carried by the following

vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

080213 [Disapproving certification of 55 Laguna Street Mixed Use Project FEIR]

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for 55 Laguna Street Mixed Use Project.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

080214 [Preparation of findings to disapprove certification of 55 Laguna Street Mixed Use Project FEIR]

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 55 Laguna Street Mixed Use Project.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

COMMITTEE REPORTS

080157 [Zoning - Educational services and institutional uses, Mixed Use Districts and NCDs] **Supervisor Peskin**

Ordinance amending the Planning Code by amending Sections 102.2 to exclude specified accredited educational institutions from the definition of arts activities; amending Section 790.50 and 890.50 to clarify that certain institutions, including accredited educational institutions, in the Neighborhood Commercial Districts and Mixed Use Districts are required to comply with applicable provisions of the institutional master plans as set forth in Section 304.5; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

080156 [Zoning - Conditional Use for specified educational services in Western SoMa] **Supervisor Peskin**

Ordinance amending the Planning Code by amending Section 823 to prohibit educational institutions as defined in Section 890.50(c) in the Western SoMa Planning Area Special Use District; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
(Economic Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

080280 [Zoning - Repeal of the interim moratorium on institutional uses in the Western SoMa] **Supervisor Peskin**

Ordinance repealing the interim zoning moratorium that prohibits the establishment of specified new institutional uses in the Western SoMa Planning Area Special Use District.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

080192 [Lease Disposition and Development Agreement and Lease for Property Located at **Supervisor Mirkarimi**

850 Broderick Street]

Resolution approving and authorizing the Mayor's Office of Housing to enter into a lease disposition and development agreement for a long term ground lease with Arendt House, L.P., a California Limited Partnership, for the development and operation of affordable housing and associated uses on certain real property located at 850 Broderick Street and authorizing the Director of Property to enter into the lease.

Enacted Number:	109-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

ROLL CALL FOR INTRODUCTIONS

Supervisor Ammiano was noted present at 5:59 p.m.
Supervisor Alioto-Pier was noted absent at 6:19 p.m.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address *the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

Abdullah Megaheed; expressed appreciation to Supervisor Peskin's staff
and issues relating to the Presidential election
James Chaffee; expressed concern with issues relating to the SF Public Library
Richard McCree; expressed concern with issues relating to his patent for the Sigmund Stern Grove
Walter; expressed concern with issues relating to budget cuts in the SF Health Department
Female speaker; expressed concern with issues relating to the human rights abuse in China
Male speaker; expressed concern with issues relating to the human rights abuse in China
Male speaker; expressed concern with issues relating to the human rights abuse in China
Cecille Mills; expressed concern with issues relating to the environment and the use of gasoline

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

080285 [Noe Valley/Sally Brunn Branch Library re-opening] **Supervisor Dufty**

Resolution recognizing the grand re-opening of the Noe Valley/Sally Brunn Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

Enacted Number: 102-08

ADOPTED

080286 [Support of bill designating safety enhancement-double fine zones] **Supervisors Chu, Elsbernd, McGoldrick, Mirkarimi**

Resolution supporting SB 1419, a bill to designate safety enhancement-double fine zones along State Highway Route 1 from Junipero Serra Boulevard to Lake Street and urging the California Legislature to pass the bill.

Enacted Number: 103-08

ADOPTED

080287 **[Adopting the U.S. Cool Counties Climate Stabilization Declaration]** **Supervisor Daly**

Resolution adopting the U.S. Cool Counties Climate Stabilization Declaration

Enacted Number: 106-08

ADOPTED

080289 **[Mountain Lake Park - Toxic Issues]** **Supervisors Alioto-Pier, McGoldrick**

Resolution urging the Presidio Trust and Caltrans to immediately resolve the toxicity issue at Mountain Lake through further testing, clean up and diversion measures; and urging the Recreation and Park Department to immediately post signs warning residents that Mountain Lake has been designated a toxic clean up site.

Supervisor McGoldrick requested to be added as a co-sponsor.

Enacted Number: 110-08

ADOPTED

080296 **[Authorizing preparation of**

Proponent/Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 3, 2008 Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 3, 2008 Election.

Enacted Number: M08-44

APPROVED

080292 **[Grant funds to support HIV vaccine trials]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to enter retroactively into an agreement and to accept and expend funds in the amount of $78,943, with the Fred Hutchinson Cancer Research Center (FHCRC), the primary contractor, to support the San Francisco HIV Vaccine Trials Network (VTN) Scholars Group/Public Health Foundation Enterprises (PHFE); for the period of June 1, 2007 through May 31, 2008.

Enacted Number: 104-08

ADOPTED

080293 **[Accept-Expend Private Foundation Grant - Department** **Supervisor Alioto-Pier**

of the District Attorney]
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to accept and expend a grant in the amount of $64,500 from the Kaiser Permanente Northern California Community Grants Program for a program entitled "Back on Track" for fiscal year 2007/2008.

Enacted Number: 105-08

ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

Severed from the Without Reference to Committee Agenda

Supervisor Elsbernd requested that this matter be severed so that it might be considered.
Supervisor Elsbernd, seconded by Supervisor Ammiano, moved to waive Board Rule 3.11.
Motion to waive Board Rule 3.11 passed without objection.

080246 [Lifting time limits in rental subsidy program for low income families] **Supervisors Daly, Ammiano, Mirkarimi**

Resolution calling on the Human Services Agency (HSA) to remove the arbitrary time limit in its local housing subsidy for homeless families and to make the timeline for this subsidy need-based.

Enacted Number: 108-08

ADOPTED by the following vote:

Ayes: 6 - Ammiano, Daly, Dufty, Mirkarimi, Peskin, Sandoval

Noes: 4 - Chu, Elsbernd, Maxwell, McGoldrick

Absent: 1 - Alioto-Pier

Supervisor Sandoval requested that this matter be severed so that it might be considered separately.

080288	**[Commending the American Academy of Orthopedic Surgeons, the Friends of Balboa Park Playground, KaBOOM! and the Neighborhood Parks Council]**	**Supervisor Sandoval**

Resolution commending the American Academy of Orthopedic Surgeons, the Friends of Balboa Park Playground, KaBOOM! and the Neighborhood Parks Council for their efforts to replace the Balboa Park Playground.

Supervisor Sandoval, seconded by Supervisor Maxwell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by

the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

Supervisor Elsbernd requested that this matter be severed so that it might be considered.

080291 [Amending the FY 2007-2008 schedule of audits to be conducted of programs of City and County departments by the Budget Analyst] **Supervisor Mirkarimi**

Motion amending the FY 2007-2008 schedule of audits to be conducted of programs of City and County departments by the Budget Analyst to include a survey of City Departments and analysis of the number and cost of positions performing public relations - public information including the justification for such positions.

Supervisor Mirkarimi, seconded by Supervisor Sandoval, moved that this Motion be REFERRED to the Government Audit and Oversight Committee. The motion carried by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

080319 **[General Plan Amendments for Assessors Block 857 and portions of Assessors Block 870 bound by Laguna, Haight, Buchanan and Hermann Streets]** **Supervisors Mirkarimi, Ammiano**

Ordinance amending the Market and Octavia Area Plan of the San Francisco General Plan to (1) reclassify the Use District on Block 857 from Public to Moderate Density Residential and reclassify the Use District on Block 870, Lots 1, 2 and the northern portion of Lot 3 from Public to Moderate Density Neighborhood Commercial; (2) amending the Market and Octavia Area Plan of the San Francisco General Plan to reclassify the Height District for Block 857, Lot 1A from 40 feet to 50 feet and to reclassify the Height District for Block 870, Lots and 1 and 2 from 80 feet to 85 feet and Block 870, Lot 3 from 40 feet to 50 feet; (3) amending the Generalized Residential Land Use Plan of the 1990 Residence Element, the

2004 Housing Element, and of the Land Use Index to reclassify the generalized land use of Block 857 from Public/Open Space to Residential and of Block 870 from Public/Open Space to Mixed Use, predominantly Commercial/Industrial; (4) amending the Residential Density Plan of the 1990 Residence Element, the 2004 Housing Element, and of the Land Use Index to reclassify the residential density of Blocks 857 and 870 from Public and Heavy Industrial Areas to Moderately High Density; (5) adopting findings pursuant to the California Environmental Quality Act; and (6) adopting findings that the General Plan amendments are consistent with the eight priority policies of Planning Code Section 101.1.

3/4/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/3/2008. 3/10/08 - President Peskin waived 30-Day Rule. 3/10/08 - Received MMRP, Exhibits C and D. 3/11/08 - Received MMRP, Exhibit C; Motion 17533, CEQA Findings; Motion 17537, Conditional Use Authorization; Conditions of Approval for Motion 17537. 3/12/08 - Received Final CEQA Findings; Final MMRP, Exhibits C and D.

080320	**[Enacting a fee on fast food businesses, convenience markets and gasoline station markets to defray the cost of litter and trash clean-up resulting from their operation]**	**Supervisor Sandoval**

Draft Ordinance amending the San Francisco Business and Taxation Code by adding Sections 2300 to 2310 to enact a fee on fast food businesses, convenience markets and gasoline station markets to defray the cost of litter and trash clean-up resulting from their operation.

3/4/08, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee. 3/14/08 - Referred to the City Attorney for approval as to form. Referred to Planning for dertermination of environmental impact. Referred to the Small Business Commission.

080321 [Promoter permits] **Mayor, Supervisor Maxwell**

Ordinance adding Article 15.7 to the San Francisco Police Code, requiring promoters to obtain promoter permits in order to promote events within the City and County of San Francisco.

3/4/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 4/7/2008.

080322 [Prohibition on loitering outside nightclubs] **Mayor, Supervisor Maxwell**

Ordinance amending the San Francisco Police Code by adding Section 121, to prohibit loitering outside nightclubs.

3/4/08, ASSIGNED UNDER 30 DAY RULE to City

Operations and Neighborhood Services Committee, expires on 4/7/2008.

080323 **[Entertainment Commission - Place of Entertainment Permits]** **Mayor, Supervisor Maxwell**

Ordinance amending the San Francisco Police Code Sections 1060, 1060.1, 1060.2, 1060.3, 1060.5, 1060.20, 1060.23, 1060.24, 1060.25 and 1060.29; repealing Section 1060.22; adding Sections 1060.23-1, 1060.30 and 1060.31, relating to the application, approval, amendment, suspension, revocation, and transfer of Place of Entertainment Permits and One Night Event Permits, including changes in penalties for violations of law, and amending the San Francisco Business and Tax Regulations Code by amending Section 8 to provide an additional category of permit suspension and revocation actions that are not suspended pending a decision by the Board of Appeal.

3/4/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 4/7/2008.

080324 **[Entertainment Commission - Extended-Hours Premises Permits]** **Mayor, Supervisor Maxwell**

Ordinance amending the San Francisco Police Code Sections 1070, 1070.1, 1070.2, 1070.3, 1070.5, 1070.7, 1070.8, 1070.13, 1070.15, 1070.16, 1070.17, 1070.19, 1070.20, 1070.22, 1070.23,

1070.24, and 1070.27; amending Section 1070.20-1 and renumbering it as Section 1070.20-2; repealing Sections 1070.12, 1070.21, and 1070.26; and adding a new Section 1070.20-1 and Sections 1070.28 and 1070.29, relating to the application, approval, amendment, suspension, revocation, and transfer of Extended-Hours Premises Permits, including changes in penalties for violations of law.
3/4/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 4/7/2008.

071001 **[Zoning Map Amendments Associated with the Laguna, Haight, Buchanan and Hermann Streets Special Use District]** **Supervisor Ammiano**

Ordinance amending Section Maps 7, 7H and 7SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Blocks 857 and portions of Assessor's Block 870, bounded by Laguna, Buchanan, Haight and Hermann Streets, from P (Public) to either NC-3 (Moderate-Scale Neighborhood Commercial District) or RM-3 (Residential, Mixed Districts, Medium Density) and mapping the Laguna, Haight, Buchanan and Hermann Streets Special Use District; adopting findings, including findings under the California Environmental Quality Act.
(No Economic Impact)
7/10/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires

on 8/9/2007.

7/13/07, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment. 10/2/07, Board adopted six month extension for Planning Commission review; see File 071380.

2/13/08, RESPONSE RECEIVED. Planning Department Executive Summary; Planning Commission Resolution 17536.

3/4/08, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing the same title.

3/4/08, ASSIGNED to Land Use and Economic Development Committee.

071002 **[Laguna, Haight, Buchanan and Hermann Streets Special Use District]** **Supervisors Mirkarimi, Ammiano**

Ordinance approving the Laguna, Haight, Buchanan, and Hermann Streets Special Use District (SUD) by amending the San Francisco Planning Code by adding Section 249.32 to create a new SUD bounded by Laguna, Haight, Buchanan and Hermann Streets (Assessor's Blocks 857 and portions of Assessor's Block 870) to permit a mixed-use project at the former UC Berkeley Extension property; and adopting findings, including findings under the California Environmental Quality Act.
(No Economic Impact)
7/10/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/9/2007.

7/13/07, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment.

10/2/07, Board adopted six month extension for review by Planning Commission; see File 071380.

2/13/08, RESPONSE RECEIVED. Planning Department Executive Summary; Planning Commission Resolution 17535.

3/4/08, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing the same title.

3/4/08, ASSIGNED to Land Use and Economic Development Committee.

Resolutions

080313 [Grant to support the National HIV Behavioral Surveillance project - $418,225] **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a new grant from the Centers for Disease Control (CDC) in the amount of $418,225 to support the "National HIV Behavioral Surveillance" project, and to enter into a subcontract with the Public Health Foundation Enterprises (PHFE) in the amount of $53,723; for the period of January 1, 2008 through December 31, 2008.

3/4/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080314	**[Grant funds to support HIV vaccine trials - $156,895]** Resolution authorizing the San Francisco Department of Public Health (DPH) to enter retroactively into an agreement and to accept and expend funds in the amount of $156,895, with the Fred Hutchinson Cancer Research Center (FHCRC), the primary contractor, to support the San Francisco HIV Vaccine Trials Network (VTN) Leadership Group/Public Health Foundation Enterprises (PHFE); for the period of June 1, 2007 through May 31, 2008. 3/4/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.	**Supervisor Alioto-Pier**
080315	**[Grant funds to support HIV vaccine trials - $126,989]** Resolution authorizing the San Francisco Department of Public Health (DPH) to enter retroactively into an agreement and to accept and expend funds in the amount of $126,989, with the Fred Hutchinson Cancer Research Center (FHCRC), the primary contractor, to support the San Francisco HIV Vaccine Trial Network 40% Transition Costs; for the period of June 1, 2007 through December 31, 2007. 3/4/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.	**Supervisor Alioto-Pier**
080316	**[Accept and Expend Regional**	**Supervisor Chu**

Grant - Department of the Environment - $157,500]

Resolution authorizing the Department of the Environment (SF Environment) to accept and expend grant funds, in the amount of $157,500 from the Bay Area Air Quality Management District (BAAQMD) to assist taxi companies with grant funding to help them offset the incremental costs associated with the purchase of 75 light-duty clean air vehicle taxis.

3/4/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080317 [Accept and Expend CEC PIER Grant Funds - $995,791] **Supervisor Chu**

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a California Energy Commission (CEC) Public Interest Energy Research (PIER) Grant in the amount of $995,791.

3/4/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080318 [Mortgage Revenue Bonds - Geary Boulevard Senior Living and Health Center] **Supervisor McGoldrick**

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the

Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $38,000,000 for Geary Boulevard Senior Living and Health Center; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $190,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $38,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

3/4/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080325 **[Contract between the Department of Health and the California Department of Health** **Mayor**

Care Services for the Health Care Coverage Initiative in the amount of $73.1 million over a three-year period in support of the Healthy San Francisco program]

Resolution authorizing the Director of Health to enter into a contract with the California Department of Health Care Services to provide reimbursement for health services costs incurred in providing services to specified Healthy San Francisco participants under the Health Care Coverage Initiative in the amount of $73.1 million.

3/4/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080327 [Funds to support HIV research activities] **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $7,167 from University of California, San Francisco, Center for AIDS Research (CFAR); for the period of September 1, 2007 through August 31, 2008.

3/4/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080328 [Urging the Department of Parking and Traffic to install STOP signs at the intersection **Supervisor Dufty**

of 24th Street and Hoffman Avenue]

Resolution urging the Department of Parking and Traffic to install STOP signs at the intersection of 24th Street and Hoffman Avenue.

3/4/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080329 [Declaration of Election Results - February 5, 2008] **Supervisor Peskin**

Resolution declaring the results of the February 5, 2008 Consolidated Presidential Primary Election.

3/4/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080330 [Approval of a 30 day extension for Planning Commission review - Types of Entertainment] **Supervisor Peskin**

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance amending Sections 102.17, 790.38, and 890.37 of the San Francisco Planning Code to define three types of entertainment use based upon size; amending Sections 1060, 1060.1, 1060.3, 1070, 1070.1, and 1070.3 of the San Francisco Police Code to define the three types of entertainment use authorized by the Planning Code and to require an application and the permit for a place of entertainment or extended-hours activity to specify one of the three types of entertainment use; adopting findings, including environmental findings and findings required by Section 302 of the Planning Code.

3/4/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080331 [Approval of a 30 day extension for Planning Commission review - 690 Market Street] **Supervisor Peskin**

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed Resolution that would initiate the designation of 690 Market Street, the Chronicle Building, Lot 6 in Assessor's Block 311, as a landmark pursuant to Section 1004.1 of the Planning Code and urging expedited consideration of the building's landmark status and a Mills Act contract associated with the building's rehabilitation and restoration.

3/4/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

080305 [San Francisco's Declining African American Population] **Supervisor Daly**

Hearing to address San Francisco's declining African American population.

3/4/08, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests that the item be heard in Rules Committee.

080306 [Controller's Six month Budget Status Report for Fiscal Year 2007/08] **Supervisor McGoldrick**

Hearing on the Controller's Six month Budget Status Report for Fiscal Year 2007/08.

3/4/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080307 [Controller's Fiscal Year 2007/08 Biannual Overtime Report] **Supervisor McGoldrick**

Hearing on the Controller's Fiscal Year 2007/08 Biannual Overtime Report.

3/4/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080308 [Status of city fees and charges] **Supervisor McGoldrick**

Hearing on the status of city fees and charges.

3/4/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080309 [Fiscal Year 2007/08 Mid-Year **Supervisor**

Budget Cuts] **McGoldrick**

Hearing on the Fiscal Year 2007/08 Mid-Year Budget Cuts Announced by the Mayor.

3/4/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080310 **[Budget requests and performance measures for various City Departments]** **Supervisor McGoldrick**

Hearing(s) on the current status of Fiscal Year 2007/08 expenditures, Fiscal Year 2008/09 budget requests and performance measures for the following departments: Municipal Transportation Agency, Police Department, Department of Public Works, Fire Department, Sheriff Department, San Francisco International Airport, Department of Public Health, Department of Telecommunications and Information Services, Human Services Agency, Public Utilities Commission, and Recreation and Park Department.

3/4/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080311 **[Eradicate the invasive light brown apple moth]** **Supervisor Sandoval**

Hearing to discuss the California Department of Food and Agriculture's plan to spray San Francisco with pesticides to eradicate the invasive light brown apple moth.

3/4/08, RECEIVED AND ASSIGNED to Government

Audit and Oversight Committee.

080312 [Presence of limousines in Hotel taxi stands and other white zones] **Supervisor Sandoval**

Hearing with the Police Department, Department of Parking and Traffic, Taxi Commission and the California Public Utilities Commission to discuss the presence of limousines in Hotel taxi stands and other white zones.

3/4/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motion

080326 [Confirmation of Controller - Ben Mayor Rosenfield]

Motion confirming appointment of Ben Rosenfield as Controller.

3/4/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

PROPOSED ORDINANCES

Requests Granted

From: Supervisor Mirkarimi
To: Director, Municipal Transportation Agency
Requesting/Inquiring: Requesting that the Municipal Transportation Agency to report on the feasibility of installing MUNI bush shelters with seats at the Sutter Street and Buchanan Street bus stops. There are a large number of senior residential buildings in this area and they have expressed a need for the shelters.

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting that the Department of Parking and Traffic report on the feasibility of the traffic light at Masonic and Anza Vista changed such that is allows an extra 2 or 3 seconds for cars turning East off of Masonic on to Anza Vista.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from at the following locations:

Light Boxes

- *Southeast corner of Funston and Lincoln*
- *Southwest corner of 6th Avenue and Lincoln*

Phone Switch Boxes

- *Northeast corner of 12th Avenue and Judah*
- *Southwest corner of 14th Avenue and Lincoln*
- *Northeast corner of Cole and Alma*
- *Northeast corner of Octavia and Page*

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requests that the Department of Public

Works report on the status of removing graffiti from newsstands at the following locations:
Advertiser

- *Northwest corner 9th Avenue and Kirkham*
- *Southeast corner of Lincoln and 9th Avenue*

San Francisco Bay Guardian:

- *Southeast corner of Lincoln and 9th Avenue*

San Francisco Chronicle:

- *Southeast corner of Lincoln and 9th Avenue*

Examiner:

- *Southeast corner of Lincoln and 9th Avenue*

Common Ground:

- *Northwest corner of Hayes and Gough*

Onion:

- *Southeast corner of Lincoln and 9th Avenue*

SF Weekly:

- *Southeast corner of Lincoln and 9th Avenue*

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti at the following private property locations:

- *500 Kirham*
- *1408 8th Avenue*
- *1200 15th Avenue*
- *1205 15th Avenue*
- *653 Irving*
- *701 Irving*
- *814 Irving*
- *910 Irving*

- *1033 Irving*
- *715 Lincoln*
- *723 Lincoln*
  From: Supervisor Mirkarimi
  To: Director, Department of Public Works
  Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from utility poles at the following locations:
  Metal
- *Numerous Poles on Judah between 12th Avenue and 19th Avenue*
- *Southeast corner of 19th Avenue and Lincoln plus Metal box on pole*
- *Northwest corner of 6th Avenue and Lincoln*
- *Southwest corner of 8th Avenue and Irving*
- *Southeast corner of 14th Avenue and Irving*
- *300 Irving*
- *238 Carl*
- *300 Carl*
  From: Supervisor Mirkarimi
  To: Director, Department of Public Works
  Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing the graffiti from mailboxes and garbage cans at the following locations:
  Mailboxes
- *Southwest corner of 16th Avenue and Lincoln*
- *Southeast corner of 8th Avenue and Judah*
- *Northeast corner of 11th Avenue and Judah*
- *Southeast corner of 11th Avenue and Lincoln*
- *Southeast corner of 10th Avenue and Lincoln*

- *Northwest corner of Octavia and Haight*
- *Northwest corner of Octavia and Page*
- *Northwest corner of Hayes and Octavia*

Garbage Cans:

- *Southwest corner of Funston and Lincoln*

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the public property located at the following locations:

Emergency Call Boxes:

- *Southeast corner of Cole and 17th Avenue*
- *Southeast corner of Funston and Lincoln*
- *Southeast corner of 5th Avenue and Lincoln*

Clear Channel Billboards:

- *Northwest corner of 7th Avenue and Irving (no permit number listed)*
- *Southeast corner of 11th Avenue and Irving (#03740)*

Phone Booth:

- *Southeast corner of 8th Avenue and Judah*

Across from 1145 Hayes Street on the Alamo Park side of the street

From: Supervisor Sandoval
To: City Attorney
Requesting/Inquiring: Requesting that the City Attorney issue an opinion on steps the City may take to prevent the California Department of Food and Agriculture from spraying pesticides to eradicate the light brown apple moth in San Francisco.
From: Supervisor Ammiano
To: Director, Department of Building Inspections
Requesting/Inquiring:

To Isam Hasenin,

Back in January, my office inquired about some complaints being made by neighbors of 3224-3226 26th Street (at Horace Alley) in the Mission District. The City Attorney's Office had also been receiving emails and letters, complaining of an absurdly overcrowded building that was supposed to be 2 units, but was housing upwards of 40 people. The City Attorney had conducted a Code Enforcement Task Force Inspection on February 22, 2007 and observed people living in illegally built attic units, people living in subdivided apartments, and people living in the basement rooms which were not fit for human habitation. Also observed was an enormous amount of garbage and piles of debris.

Months and months passed after inspection, and we continued to get the complaints from the public, wondering why after the City's inspection, things hadn't improved. And indeed, according to DBI records, things were not improving. Notices of violation were issued April 2, 2007 (work without permits in attic and basement, standing water, refuse accumulation, bars obstructing emergency egress, no smoke detectors, no heat, sanitation, variety of housing code violations) November 27, 2007 (no heat and no hot water), December 19, 2007 (rodents, leaking ceiling, sanitation), an Emergency Order (signed by the Director) was issued December 20, 2007 (lack of gas and water service due to nonpayment), and another NOV on January 31, 2008 (for illegal construction).

As I understand it, the City is now paying the water and gas bills to keep those services on for the tenants because the owners have refused or failed to restore those services. In addition, it is rumored that he property may be headed for foreclosure, and the owners may walk away from it, leaving a building full of tenants, and the City with the utility bills.

Code enforcement between DBI and CAO has historically worked extremely well in cases like this. The City Attorney's Office typically gets court orders requiring immediate abatement, and an award of civil penalties and attorneys fees to ensure the City is properly compensated and the owner deterred from doing this again in the future. It is incomprehensible that this case was not referred to the City Attorney's Office ages ago for litigation to address these issues. If it had, the City might have been able to get court orders against the owners. Now, even if the case is referred to the City Attorney's Office, it is unclear how much they would be able to accomplish in the short run because so much time has passed. Furthermore, by not referring the case sooner, DBI's inexplicable delay only undermines the City's legal case by implying that the conditions aren't as bad as they seem.
Why is DBI not working with the City Attorney on this case, and why has DBI stopped referring cases to the City Attorney for code enforcement violations?

In Memoriams

Maria Martinez - Supervisors Chu, Sandoval, McGoldrick, Mirkarimi
Tommy Toy - Supervisor Chu
Maria Lisa Pizzoli Gilvin - Supervisor Dufty
Enid Ng Lim - Supervisor Peskin
Michael Weller - Supervisor Peskin
Barbara Suczek - Supervisor Peskin
Linda Bien - Supervisor Peskin
Sister Bernadette Giles - Supervisor McGoldrick
Elmer Johnson - Supervisor Alioto-Pier

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:46 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on March 25, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media

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翻譯：必須在會議前最少四十八小時提出要求
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March 11, 2008

City and County of San Francisco

City Hall

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San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, March 11, 2008

2:00 PM

Legislative Chamber - Second Floor

Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU,

CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*Jake McGoldrick.*
Members Absent:	*None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisors Alioto-Pier, Ammiano and McGoldrick were noted absent.
There was a quorum present.
Supervisors Alioto-Pier and Ammiano were noted present at 2:06 p.m
Supervisor McGoldrick was excused from attending today's meeting.

Supervisor McGoldrick Excused from Attendance

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to excuse Supervisor McGoldrick from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved to approve the February 12, 2008 and February 26, 2008 Board Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

080099 [Appropriating $34,896,162 of bond sale proceeds, interest and property rental revenues for improvements and construction of San Francisco Public Library Facilities Fiscal Year 2007-2008] **Mayor**

Ordinance appropriating $31,065,000 of bond sale proceeds from the 2000 Branch Library Improvement Program Bond - 4th Series,

$3,679,362 in bond interest earned and $151,800 in rent monies to fund the improvement and construction of the San Francisco Public Library Facilities for Fiscal year 2007-08. Place Controller's Reserve on $31,065,000 of the bond sale proceeds pending sale of the bond.

Enacted Number: 34-08

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

080157 [Zoning - Educational services and institutional uses, Mixed Use Districts and NCDs] **Supervisor Peskin**

Ordinance amending the Planning Code by amending Sections 102.2 to exclude specified accredited educational institutions from the definition of arts activities; amending Section 790.50 and 890.50 to clarify that certain institutions, including accredited educational institutions, in the Neighborhood Commercial Districts and Mixed Use Districts are required to comply with applicable provisions of the institutional master plans as set forth in Section 304.5; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Enacted 36-08

Number:
FINALLY PASSED

080156	**[Zoning - Conditional Use for specified educational services in Western SoMa]** Ordinance amending the Planning Code by amending Section 823 to prohibit educational institutions as defined in Section 890.50(c) in the Western SoMa Planning Area Special Use District; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Economic Impact.) **Enacted Number:** 35-08 **FINALLY PASSED**	**Supervisor Peskin**
080280	**[Zoning - Repeal of the interim moratorium on institutional uses in the Western SoMa]** Ordinance repealing the interim zoning moratorium that prohibits the establishment of specified new institutional uses in the Western SoMa Planning Area Special Use District. **Enacted Number:** 38-08 **FINALLY PASSED**	**Supervisor Peskin**

Recommendations of the City Operations and Neighborhood Services Committee

080222 [Gift - Private, Public Health Department - Data Center and Electronic Medication Administration Record System]

Resolution authorizing the Public Health Department to accept a gift of a Data Center and an Electronic Medication Administration Record System for the San Francisco General Hospital (SFGH) from the San Francisco Hospital Foundation (SFGH Foundation). (Public Health Department)

Enacted Number: 116-08

ADOPTED

080224 [Gift of Equipment to Fire Department]

Resolution authorizing the San Francisco Fire Department to accept a gift of a fifteen Porto2Vent Continuous Positive Air Pressure Devices and Backpacks valued at $19,050 from Emergent Technologies for use by Fire Department employees who provide ambulance services in the City. (Fire Department)

Enacted Number: 114-08

ADOPTED

080227 **[Grant to support SFGHMC's Quality Improvement Initiative]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health, San Francisco General Hospital Medical Center (DPH-SFGHMC) to accept and expend retroactively a two-year grant from Kaiser Permanente's Community Benefits Program in the amount of $150,000, to fund SFGHMC's Quality Improvement Initiative; for the period of October 1, 2007 through October 1, 2009.

Enacted Number: 121-08

ADOPTED

080228 **[Funds to support nutrition services]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $11,927 from FACET, BAART Programs Turk Street Clinic for a project entitled "FACET - SFDPH Nutrition Services," for the period of January 1, 2008 through December 30, 2008.

Enacted Number: 120-08

ADOPTED

080181 **[Gift - Private, Department of Public Health - $104,538]**

Resolution authorizing the Department of Public Health to retroactively accept a gift from the San Francisco General Hospital Foundation with a monetary value of $104,538 to back fill-staff attending training designed to decrease the risk of cardiovascular events (heart attacks and strokes) for the period of January 1, 2008 though December 31, 2010. (Public Health Department)

Enacted Number: 115-08

ADOPTED

Recommendations of the Rules Committee

080178 **[Settlement of Lawsuit - Lydia Jones]**

Ordinance authorizing settlement of the lawsuit filed by Lydia Jones against the City and County of San Francisco for $65,000.00; the lawsuit was filed on October 23, 2006 in San Francisco Superior Court, Case No. CGC-06-457229; entitled Lydia Jones v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

080179 [Settlement of Lawsuit - Susan Sponseller]

Ordinance authorizing settlement of the lawsuit filed by Susan Sponseller against the City and County of San Francisco for $100,000; the lawsuit was filed on January 24, 2007 in San Francisco Superior Court, Case No. 459858; entitled Susan Sponseller v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

080180 [Settlement of Lawsuit - Kelly Medora]

Ordinance authorizing settlement of the lawsuit filed by Kelly Medora against the City and County of San Francisco for $235,000; the lawsuit was filed on January 27, 2006 in United States District Court, Northern District of California, Case No. C06-00558 EDL; entitled Kelly Medora, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

080193 [Appropriating $2,263,846 of General Fund Reserve for Indigent Defense Expenses in the Superior Court for Fiscal Year 2007-2008] **Supervisor Maxwell**

Ordinance appropriating $2,263,846 of General Fund Reserve to fund unanticipated increased costs of indigent defense expenses associated with People v. Bell as well as adult criminal and juvenile delinquency cases in the Superior Court of California for Fiscal Year 2007-2008.

Enacted Number: 37-08

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Chu, Daly, Dufty, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd
Excused: 1 - McGoldrick

Recommendation of the Land Use and Economic Development Committee

071522 [Residential Rent Ordinance: Sellers and Purchasers to Give Tenants Written Disclosure of Rights Before and After Sale of the Rental Property] **Supervisors Daly, Sandoval, McGoldrick**

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by adding subsection (j) to Section 37.9, to provide that tenants in units subject to Section 37.9 be given written disclosure of specified rights by sellers and purchasers before and after the sale of such property.

Enacted Number: 33-08

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier
Excused: 1 - McGoldrick

NEW BUSINESS

Recommendations of the Budget and Finance Committee

080230 [Appropriating $4,270,320 for Capital Improvements at San Francisco General Hospital in the Department of Public Health for Fiscal Year 2007-2008] **Supervisor Chu**

Ordinance appropriating $4,270,320 of General Fund Budget Savings Incentive Reserve Funding for capital improvements at San Francisco General Hospital associated with central service building seismic upgrades and electrical power distribution in the Department of Public Health for Fiscal Year 2007-2008.
(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

080196 [Appropriating $246,000 of General Fund Reserve to the Human Resources Department to fund the Workers Compensation Clinic at San Francisco General Hospital] **Supervisors Mirkarimi, Ammiano, Daly**

Ordinance appropriating $246,000 from the General Fund Reserve to the Human Resources Department to fund the Workers Compensation Clinic at San Francisco General Hospital for Fiscal Year 2007-2008.
(Supervisors Elsbernd and Chu dissented in committee) (Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin, Sandoval

Noes: 3 - Alioto-Pier, Chu, Elsbernd
Excused: 1 - McGoldrick

Recommendations of the City Operations and Neighborhood Services Committee

080039 [Landmark Tree Designation of Blue Elderberry located in the Bernal Heights Natural Area at Folsom Street and Bernal Heights Boulevard] **Supervisor Ammiano**

Ordinance designating the Blue Elderberry (Sambucus mexicana) in the Bernal Heights Natural Area (Assessor's Block 5548, Lot 002) at Folsom Street and Bernal Heights Boulevard as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

080040 [Landmark Tree Designation of Moreton Bay Fig at 3555 Cesar Chavez Street, facing Valencia Street] **Supervisor Ammiano**

Ordinance designating the Moreton Bay Fig (Ficus macrophylla) at 3555 Cesar Chavez Street (Assessor's Block 6575, Lot 002), facing Valencia Street as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

080041 [Landmark Tree Designation of Flowering Ash tree no. 1 at 500 Cortland Avenue] Supervisor Ammiano

Ordinance designating the Flowering Ash (Fraxinus ornus) tree no. 1 at 500 Cortland Avenue, in front of the Bernal Heights Library, which flanks the eastern side of the main doors to the library on Cortland Avenue (Assessor's Block 5707, Lot 027) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

080042 [Landmark Tree Designation of Supervisor

Flowering Ash tree no. 2 at 500 Cortland Avenue] **Ammiano**

Ordinance designating the Flowering Ash (Fraxinus ornus) tree no. 2 at 500 Cortland Avenue, in front of the Bernal Heights Library, which flanks the western side of the main doors to the library on Cortland Avenue (Assessor's Block 5707, Lot 027) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

080043 [Endorsing the recommendations of the Healthcare Action Team regarding the discharge of homeless patients in San Francisco] **Supervisors Ammiano, Daly, Mirkarimi**

Resolution endorsing the Healthcare Action Team's recommendations for procedures on homeless patients hospital discharge, including more respite beds, a streamlined discharge process, distribution of information sheets, utilization of transitional care programs, expansion of the Ombudsman office and no discharges on Fridays.

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Resolution endorsing the Healthcare Action Team's recommendations for procedures on homeless patients hospital discharge, including more respite beds, a streamlined discharge process, distribution of information sheets, utilization of transitional care programs, expansion of the Ombudsman office and providing written discharge verification.

ADOPTED AS AMENDED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Recommendation of the Land Use and Economic Development Committee

071528	**[Administrative Code - Amendments Creating Large Tourist Hotel Conversion Ordinance]**	**Supervisors Peskin, Ammiano, Daly, Maxwell,**

Mirkarimi, Sandoval

Ordinance amending the Administrative Code to add Section 41F to limit conversion of Large Tourist Hotels into condominium projects, allowing the Planning Commission to approve conversion of up to 500 units before March 1, 2010, establishing conditions precedent and procedures for an annual lottery system for conversions after March 1, 2010, requiring applicants for conversions to provide the Planning Department with certain information regarding the conversion, creating a 120-month sunset period, and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Recommendations of the Rules Committee

071659 [Deletes the cap on the amount that an individual production can receive under the Rebate Program] **Supervisor Alioto-Pier**

Ordinance amending Administrative Code Section 57.8 by repealing the provision that limits individual rebates under the Rebate Program to the amount of tax that the film production paid to the City. (Economic Impact)

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Ordinance be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

071660 [Comprehensive Package to Support Film Production in San Francisco] **Supervisor Alioto-Pier**

Resolution directing City departments, and urging other public entities, to cooperate with the Film Commission to streamline film permitting procedures, to adopt a single Use Agreement and a single insurance policy for film productions, and to create consistent fee structures.

Supervisor Alioto-Pier, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

ADOPTED AS AMENDED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

From the Rules Committee Without Recommendation

071661 [Menu Labeling At Chain Restaurants] **Supervisors Ammiano, Dufty, Mirkarimi, McGoldrick, Maxwell**

Ordinance amending Sections 468 through 468.8 of the San Francisco Health Code to (1) require chain restaurants to disclose, per standard menu item, the total number of calories on menu boards and food tags, and the total amount of calories, saturated fat, carbohydrates and sodium on menus; (2) revise existing requirements for providing nutritional information on alternative disclosure media; and (3) authorize the Department of Public Health to impose a fee on chain restaurants for implementation of the ordinance.

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

071626 [Repealing Board Rule 3.9.1 - Mayor's appearance before the Board of Supervisors] **Supervisor Alioto-Pier**

Motion amending the Rules of Order of the Board of Supervisors to repeal Rule 3.9.1 regarding Mayor's appearance before the Board.

Supervisor Dufty, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Alioto-Pier introduced, welcomed and presented Certificates of Honor to the winners of the SF Climate Challenge.

Supervisor Elsbernd introduced and welcomed family members of Emeric Kalman and read a resolution *commending Mr. Kalman.*

SPECIAL ORDER 4:00 P.M.

070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.

(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)
(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

The President inquired as to whether any member of the public wished to address the Board members.
Continued to March 25, 2008

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070911 [Affirming the Categorical Exemption issued for the 3424 Jackson Street project]

Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to March 25, 2008

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

070912 [Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]

Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to March 25, 2008

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

070913 [Preparation of findings related to the 3424 Jackson Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to March 25, 2008

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

COMMITTEE REPORTS

080236 [Repealing the San Francisco Traffic Code and enacting Division I of the San Francisco Transportation Code to conform to the requirements of Proposition A] **Supervisor Peskin**

Ordinance repealing the San Francisco Traffic Code and enacting Division I of a new San Francisco Transportation Code, setting forth requirements for the regulation of transit, traffic, streets and parking under the jurisdiction of the Board of Supervisors, including the regulation of news gathering vehicles, enforcement authority, parking control, rules for driving, bicycle registration, towing and impoundment, abatement of nuisance vehicles, procedures on the temporary use or occupancy of public streets and violations.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently *remove the document when they want the screen to return to live coverage of the meeting.*

Abdullah Megaheed; expressed concern with issues relating to the homeless

James Chaffee; expressed concern with issues relating to the SF Public Library

Eugene Gordon, Jr.; expressed concern with issues relating to the violation of human rights

Nan Su; expressed concern with issues relating to the human rights torch relay

Walter; expressed in song certain general issues

Reverend Debra Benedict; expressed concern with issues relating to the lack of interaction between the Mayor and the Board of Supervisors

Clare Lee; expressed concern with issues relating to the human rights torch relay

Male speaker; expressed concern with issues relating to the human rights torch relay

Francisco da Costa; expressed concern with issues relating to the quality of life issues in San Francisco

Richard McCree; expressed concern with issues relating to his patent for Sigmund Stern

Edmond Larry; expressed concern with issues relating to SRO's, housing and violence in these housing facilities

CLOSED SESSION

080300 [Closed Session - Existing Litigation - Chambers v. City

and County of San Francisco]
Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding existing litigation, Chambers v. City and County of San Francisco, filed on October 11, 2006 in the United States District Court for the Northern District of California, Case No. C06-06346 WHA.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuit. (City Attorney)

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved to convene in Closed Session. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

The Board recessed at the hour of 3:22 p.m. to convene in closed session pursuant to the above motion.
Calling the Roll
The following Supervisors were noted present:
Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Persons in attendance:

Cheryl Adams, Deputy City Attorney
Jim Emery, Deputy City Attorney
Dr. Mitchell Katz, Director of Public Health
Monique Zmuda, Deputy Controller
Angela Calvillo, Clerk of the Board
Kay Gulbengay, Deputy Clerk of the Board
Reconvening of the Board
The Board at the hour of 3:32 p.m. reconvened.
Matter was heard in Closed Session and Filed.

[Elect Not to Disclose] Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved not to disclose its Closed Session Deliberations. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Recommendation of the Rules Committee

080135 [Settlement of Lawsuit - Mark Chambers]

Ordinance authorizing settlement of the class action lawsuit entitled Chambers v. City and County of San Francisco, filed on October 11, 2006 in the United

States District Court for the Northern District of California, Case No. C06-06346 WHA. Pursuant to the proposed settlement, the City will enhance community-based housing and services for residents of Laguna Honda Hospital and for other San Franciscans who would benefit from long-term community-based care. (City Attorney)

Continued to March 25, 2008

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

080327 [Funds to support HIV research activities] **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $7,167 from University of California, San Francisco, Center for AIDS Research (CFAR); for the period of

September 1, 2007 through August 31, 2008.

Enacted Number: 119-08

ADOPTED

080328	**[Urging the Department of Parking and Traffic to install STOP signs at the intersection of 24th Street and Hoffman Avenue]**	**Supervisor Dufty**

Resolution urging the Department of Parking and Traffic to install STOP signs at the intersection of 24th Street and Hoffman Avenue.

Enacted Number: 118-08

ADOPTED

080329	**[Declaration of Election Results - February 5, 2008]**	**Supervisor Peskin**

Resolution declaring the results of the February 5, 2008 Consolidated Presidential Primary Election.

Enacted Number: 111-08

ADOPTED

080330	**[Approval of a 30 day extension for Planning Commission review - Types of Entertainment]**	**Supervisor Peskin**

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance amending Sections 102.17, 790.38, and 890.37 of the San Francisco Planning Code to define three types of entertainment use based upon size; amending Sections 1060, 1060.1, 1060.3, 1070, 1070.1, and 1070.3 of the San Francisco Police Code to define the three types of entertainment use authorized by the Planning Code and to require an application and the permit for a place of entertainment or extended-hours activity to specify one of the three types of entertainment use; adopting findings, including environmental findings and findings required by Section 302 of the Planning Code.

Enacted Number: 113-08

ADOPTED

080331 **[Approval of a 30 day extension for Planning Commission review - 690 Market Street]** **Supervisor Peskin**

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed Resolution that would initiate the designation of 690 Market Street, the Chronicle Building, Lot 6 in Assessor's Block 311, as a landmark pursuant to Section 1004.1 of the Planning Code and urging expedited consideration of the building's landmark status and a Mills Act contract associated with the building's rehabilitation and restoration.

Enacted Number: 122-08

ADOPTED

080290 [Final Map - One Ecker Street]

Motion approving Final Map 4614, a 53 Unit Mixed-Use Condominium Project, located at One Ecker Street being a subdivision of Lot 022 in Assessors Block No. 3708 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department) (DPW Order No. 177,409; District 6.)

Enacted Number: M08-45

APPROVED

080297 [Final Map - 1355 Valencia Street]

Motion approving Final Map 2015, a 7 Unit Mixed-Use Condominium Project, located at 1355 Valencia Street being a subdivision of Lot 022 in Assessors Block No. 6515 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department) (DPW Order No. 177,361; District 9.)

Enacted Number: M08-46

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

080346 [Reserving $760,163 of Disability Access Projects for the Board of Supervisors Chamber in the City Administrator's Office for Fiscal Year 2007-08] **Supervisor Daly**

Ordinance de-appropriating $760,163 of Disability Access Capital Projects in the City Administrator's Office and appropriating $944,470, including $184,307 of General Fund Reserve, for Community Behavioral Health Services at Buster's Place, Mental Health Clinic Directors, and Health at Home Chronic Care Nursing in the Department of Public Health for Fiscal Year 2007-2008.
(Fiscal Impact.)

3/11/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080349 [Zoning Map Amendment - 5050 Mission Street, corner of Seneca Ave] **Supervisor Sandoval**

Ordinance amending the San Francisco Planning Code by amending Zoning Map ZN 12 of the Zoning Map of the City and County of San Francisco to change the use classification of Block 6969, Lot 11, located at the southwest corner of Mission and Seneca Streets, from RH-1 (Residential, House, One Family) District to NC-3 (Moderate-scale Neighborhood Commercial) District; adopting findings, including environmental findings and findings of consistency the General Plan and the Priority Policies of Planning Code Section 101.1.

3/11/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/10/2008.

080350 [Enterprise Zone Tax Credit Law] **Mayor**

Ordinance amending Section 906A of the Business and Tax Regulations Code to delete the requirement that a new job be created to obtain the Enterprise Zone Tax Credit after the effective date; to apply the credit to all newly hired Qualified Employees; to make the definition of "Qualified Employee" consistent with the state law; to conform the geographical boundaries of the San Francisco

Enterprise Zone with the area approved by the State Department of Housing and Community Development; and to delete an outdated reference to the Private Industry Council.
(Economic Impact.)
3/11/08, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 4/10/2008.

080351 **[Changing the official sidewalk width - Mission Street]** **Mayor**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1578 to change the official sidewalk width on the north side of Mission Street west of 3rd Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change; and approving a public access easement for a portion of Jessie Square.
3/11/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080359 **[Appropriating $6,778,604 for Officer Training, Inmate Housing Cost Overruns, and Compensatory Time Off for the Sheriff and Public Health Departments for Fiscal Year 2007-2008]** **Mayor**

Ordinance de-appropriating $323,886 of General Fund and appropriating $600,000 of Sheriff Inmate Program Beginning Fund Balance, $269,044 of Peace Officer Training funds, and $5,585,674 of General Fund Reserve for peace officer training and cost overruns related to inmate housing and Compensatory Time Off in the Sheriff's Department, and jail health services in the Department of Public Health for a total appropriation of $6,778,604 for Fiscal Year 2007-2008.

(Fiscal Impact.)

3/11/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

080345 [Welcoming Beijing 2008 Olympic Torch, Tibetan Freedom Torch, and Global Human Rights Torch Relay] **Supervisor Daly**

Resolution commending the Tibetan Freedom Torch and the Global Human Rights Torch Relay and in their efforts to raise awareness regarding human rights violations in China and urging the San Francisco City Representatives accepting the Beijing 2008 Olympic Torch to welcome the Torch in the explicit spirit of Olympism, consistent with the United Nations Charter established in this City, and the United Nations Universal Declaration of Human Rights.

3/11/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080347 [Accept and Expend Department of Water Resources (DWR) Water Use Efficiency Grant Funds - $200,000] Supervisor Alioto-Pier

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a Department of Water Resources (DWR) Water Use Efficiency Grant in the amount of $200,000.

3/11/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080348 [Enterprise Zone Designation] Mayor, Supervisor Peskin

Resolution supporting California Enterprise Zone Designation for the City and County of San Francisco.

3/11/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080352 [Commending Emeric Kalman] Supervisors Elsbernd, Peskin

Resolution commending Emeric Kalman on his many years of service to his community and participation in local government.

3/11/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080353 **[Commendation for Dr. Julianne Malveaux]** **Supervisor Maxwell**

Resolution commending Dr. Julianne Malveaux on her appointment as the 15th President of Bennett College for Women and proclaiming March 24, 2008 Dr. Julianne Malveaux day in San Francisco.

3/11/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080354 **[Save Candlestick State Recreation Area]** **Supervisor Maxwell**

Resolution urging the California State Legislature to keep Candlestick State Recreation Area in the City of San Francisco open and allocate additional funding for the park to fulfill the general plan.

3/11/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080355 **[Supporting University of California patient care and service employees in contract negotiations]** **Supervisor Ammiano**

Resolution supporting University of California low-wage patient care and service employees and the findings of Failing California's Communities: How

the University of California's Low Wages Affect Surrounding Cities and Neighborhoods.
3/11/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080356 [Grant funds to support worker health and safety - $7,360] **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $7,360 from the University of California, Berkeley for a project entitled "Worker Health and Safety in Chinatown Restaurants," for the period of September 1, 2007 through August 31, 2008.
3/11/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080357 [Approval of a 60 day extension for Planning Commission review] **Supervisor Alioto-Pier**

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a proposed Resolution that would initiate the designation of The Metro Theatre, 2055 Union Street, Lot 018 in Assessor's Block 0541, as a landmark pursuant to Section 1004.1 of the Planning Code.
3/11/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT

BOARD MEETING.

080358 [Urging the State to pay expenses for special election] Supervisors Peskin, Chu

Resolution urging the California State Legislature to introduce and support legislation to pay for the expenses authorized and incurred in the preparation for and conduct of the special election proclaimed by the Governor, and the special primary election required by law, to fill the vacancy in the office of the Member of Congress from the 12th Congressional District.

3/11/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Heairng

080340 [Management Audit of the Marina Yacht Harbor Fund] Supervisor Alioto-Pier

Hearing on the Management Audit of the Marina Yacht Harbor Fund.

3/11/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080341 [Employer Spending Requirement (ESR)] Supervisor Ammiano

Hearing request on the Employer Spending Requirement (ESR) of the Health Care Security Ordinance.

3/11/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests that the item be scheduled at the Government Audit & Oversight Committee meeting on March 17, 2008.

080342 [Transitional Youth Task Force Findings] **Supervisor Dufty**

Hearing to inform of the Transitional Youth Task Force recommendations from related report--Disconnected Youth in San Francisco: A Roadmap to Improve the Life Chances of San Francisco's Most Vulnerable Young Adults. The Task Force was formed in 2006 with over 70 agencies, community members and young people focused on key recommendations for San Francisco to improve outcomes for the city's most vulnerable young people.

3/11/08, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests that the item be referred to Rules Committee.

080343 [Deemed Approved Off-Sale Alcohol Use Nuisance Regulation] **Supervisor Maxwell**

Hearing to receive an update on the administration of and participation in the Deemed Approved Uses Ordinance.

3/11/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080344 [Status Report on the **Supervisor**

CityBuild] **Maxwell**

Hearing to receive an update on the progress of CityBuild's transition from a pilot project to a fully institutionalized and established workforce development program, including a discussion of projected budget, staffing, and curriculum development.

3/11/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED ORDINANCES

PROPOSED RESOLUTION

080299 [Airport Concession Lease with Pacific Gateway Concessions, LLC]

Resolution approving the Boarding Area "E" Candy Kiosk Lease between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

2/28/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Peskin
To: City Attorney
Requesting/Inquiring: Ordinance prohibiting use and

occupancy of the upper dais in the Board of Supervisors Chamber, City Hall Room 250, by any and all persons.
From: Supervisor Elsbernd
To: Director, Municipal Transportation Agency
Requesting/Inquiring: Inquiring into the possibility of installing vehicle speed reduction devices on 14th Avenue between Ulloa and Vicente Streets.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:05 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on March 25, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4188 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the

Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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March 18, 2008

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, March 18, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting
Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*None.*
Members Absent:	*None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:01 p.m. On the call of the roll Supervisors Maxwell and Sandoval were noted absent.
There was a quorum present.
Supervisors Maxwell and Sandoval were noted present at 2:03 p.m.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

080230 [Appropriating $4,270,320 for **Supervisor Chu**

Capital Improvements at San Francisco General Hospital in the Department of Public Health for Fiscal Year 2007-2008]

Ordinance appropriating $4,270,320 of General Fund Budget Savings Incentive Reserve Funding for capital improvements at San Francisco General Hospital associated with central service building seismic upgrades and electrical power distribution in the Department of Public Health for Fiscal Year 2007-2008.

(Fiscal Impact.)

Enacted Number: 44-08

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

080039 **[Landmark Tree Designation of Blue Elderberry located in the Bernal Heights Natural Area at Folsom Street and Bernal Heights Boulevard]** **Supervisor Ammiano**

Ordinance designating the Blue Elderberry (Sambucus mexicana) in the Bernal Heights Natural Area (Assessor's Block 5548, Lot 002) at Folsom Street and Bernal Heights Boulevard as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Enacted Number: 42-08

FINALLY PASSED

080040 [Landmark Tree Designation of Moreton Bay Fig at 3555 Cesar Chavez Street, facing Valencia Street] **Supervisor Ammiano**

Ordinance designating the Moreton Bay Fig (Ficus macrophylla) at 3555 Cesar Chavez Street (Assessor's Block 6575, Lot 002), facing Valencia Street as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Enacted Number: 43-08

FINALLY PASSED

080041 [Landmark Tree Designation of Flowering Ash tree no. 1 at 500 Cortland Avenue] **Supervisor Ammiano**

Ordinance designating the Flowering Ash (Fraxinus ornus) tree no. 1 at 500 Cortland Avenue, in front of the Bernal Heights Library, which flanks the eastern side of the main doors to the library on Cortland Avenue (Assessor's Block 5707, Lot 027) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Enacted Number: 46-08

FINALLY PASSED

080042 [Landmark Tree Designation of Flowering Ash tree no. 2 at 500 Cortland Avenue] **Supervisor Ammiano**

Ordinance designating the Flowering Ash (Fraxinus ornus) tree no. 2 at 500 Cortland Avenue, in front of the Bernal Heights Library, which flanks the western side of the main doors to the library on Cortland Avenue (Assessor's Block 5707, Lot 027) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Enacted Number: 47-08

FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee

080236 [Repealing the San Francisco **Supervisor**

	Traffic Code and enacting Division I of the San Francisco Transportation Code to conform to the requirements of Proposition A]	**Peskin**

Ordinance repealing the San Francisco Traffic Code and enacting Division I of a new San Francisco Transportation Code, setting forth requirements for the regulation of transit, traffic, streets and parking under the jurisdiction of the Board of Supervisors, including the regulation of news gathering vehicles, enforcement authority, parking control, rules for driving, bicycle registration, towing and impoundment, abatement of nuisance vehicles, procedures on the temporary use or occupancy of public streets and violations.

Enacted Number: 45-08

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

071528	**[Administrative Code - Amendments Creating Large Tourist Hotel Conversion Ordinance]**	**Supervisors Peskin, Ammiano, Daly, Maxwell, Mirkarimi, Sandoval**

Ordinance amending the Administrative Code to add Section 41F to limit conversion of Large Tourist Hotels into condominium projects, allowing the Planning Commission to approve conversion of up to 500 units before March 1, 2010, establishing conditions precedent and procedures for an annual lottery system for conversions after March 1, 2010, requiring applicants for conversions to provide the Planning Department with certain information regarding the conversion, creating a 120-month sunset period, and making environmental findings.

Enacted Number: 41-08

FINALLY PASSED

Recommendations of the Rules Committee

080178 [Settlement of Lawsuit - Lydia Jones]

Ordinance authorizing settlement of the lawsuit filed by Lydia Jones against the City and County of San Francisco for $65,000.00; the lawsuit was filed on October 23, 2006 in San Francisco Superior Court, Case No. CGC-06-457229; entitled Lydia Jones v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 39-08

FINALLY PASSED

080179 [Settlement of Lawsuit - Susan Sponseller]

Ordinance authorizing settlement of the lawsuit filed by Susan Sponseller against the City and County of San Francisco for $100,000; the lawsuit was filed on January 24, 2007 in San Francisco Superior Court, Case No. 459858; entitled Susan Sponseller v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 49-08

FINALLY PASSED

080180 [Settlement of Lawsuit - Kelly Medora]

Ordinance authorizing settlement of the lawsuit filed by Kelly Medora against the City and County of San Francisco for $235,000; the lawsuit was filed on January 27, 2006 in United States District Court, Northern District of California, Case No. C06-00558 EDL; entitled Kelly Medora, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 48-08

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

080196 **[Appropriating $246,000 of General Fund Reserve to the Human Resources Department to fund the Workers' Compensation Clinic at San Francisco General Hospital]** **Supervisors Mirkarimi, Ammiano, Daly**

Ordinance appropriating $246,000 from the General Fund Reserve to the Human Resources Department to fund the Workers' Compensation Clinic at San Francisco General Hospital for Fiscal Year 2007-2008.

(Supervisors Elsbernd and Chu dissented in committee.) (Fiscal Impact.)

Enacted Number: 63-08

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Chu, Elsbernd

From the Rules Committee Without Recommendation

071661 [Menu Labeling At Chain Restaurants] **Supervisors Ammiano, Dufty, Mirkarimi, McGoldrick, Maxwell**

Ordinance amending Sections 468 through 468.8 of the San Francisco Health Code to (1) require chain restaurants to disclose, per standard menu item, the total number of calories on menu boards and food tags, and the total amount of calories, saturated fat, carbohydrates and sodium on menus; (2) revise existing requirements for providing nutritional information on alternative disclosure media; and (3) authorize the Department of Public Health to impose a fee on chain restaurants for implementation of the ordinance.

Enacted Number: 40-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

From the Budget and Finance Committee Without Recommendation

071552 [Approving Water System Improvement Program (WSIP) Agreement]

Resolution approving Amendment No. 1 to Agreement No. CS-765 of the San Francisco Water System Improvement Program (WSIP) - Program/Project/Pre-Construction Management Services with Parsons Water and Infrastructure.

(Public Utilities Commission)

(Supervisor Daly dissented in committee) (Fiscal Impact.)

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

Recommendations of the Government Audit and Oversight Committee

071518 [Standards of Care for City Shelters] **Supervisors Ammiano, Mirkarimi, Peskin, Daly, Maxwell, Sandoval**

Ordinance amending the San Francisco Administrative Code by adding a new Article 13 to Chapter 20 to: 1) mandate certain provisions in all contracts for City funded shelters, 2) require the City to take corrective enforcement measures against City-funded shelter contractors who fail to comply with contractual provisions that this Article requires; 3) require the Shelter Monitoring Committee to investigate complaints against City funded-shelters, and 4) require the Director of the Department of Public Health to determine if the imposition of liquidated damages is warranted against shelters who fail to comply with a corrective action plan.

(Fiscal Impact.)

Supervisor Sandoval requested to be added as a co-sponsor.

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Chu, Elsbernd

080229 [Shelter Monitoring Committee] Supervisors Ammiano, Peskin, Maxwell, Sandoval

Ordinance amending section 20.302 of the San Francisco Administrative Code to require the Department of Public Health to assign two full-time employees to staff the Shelter Monitoring Committee, subject to the fiscal and budgetary provisions of the Charter.

Supervisor Sandoval requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Chu, Elsbernd

Recommendation of the Land Use and

Economic Development Committee

071672 [Public Works Code - Landmark Trees] **Supervisor McGoldrick**

Ordinance amending Section 810 of the San Francisco Public Works Code to make clarifying changes, establish hearing notice provisions, and extend the term of temporary designation of nominated landmark trees; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Rules Committee Without Recommendation

080260 [Appointment, Planning Commission - Ryan Brooks]

Motion approving the Mayor's appointment of Ryan Brooks to the Planning Commission term ending June 30, 2008. (Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60

days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 080261.)
Transmittal date - February 14, 2008.

The President informed the Board members that the Clerk of the Board was in receipt of a correspondence from the Mayor indicating that the nominee had withdrawn his application and therefore the Mayor was withdrawing his nomination. President indicated that since the nomination was withdrawn there was nothing before them to consider.

FILED.

080261 [Appointment, Planning Commission - Ryan Brooks]

Motion rejecting the Mayor's appointment of Ryan Brooks to the Planning Commission term ending June 30, 2008. (Mayor)
(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 080260.)
Transmittal date - February 14, 2008.

The President informed the Board members that the

Clerk of the Board was in receipt of a correspondence from the Mayor indicating that the nominee had withdrawn his application and therefore the Mayor was withdrawing his nomination. President indicated that since the nomination was withdrawn there was nothing before them to consider.

FILED.

080265 [Appointment, Public Utilities Commission - Francis X. Crowley]

Motion approving the Mayor's appointment of Francis X. Crowley to the Public Utilities Commission, for the term ending January 15, 2012. (Mayor)

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed; companion measure to Files 080266, 080267.)

Transmittal date - February 20, 2008.

Enacted Number: M08-51

Supervisor Daly, seconded by Supervisor Elsbernd, moved that this Motion be APPROVED. The motion carried by the following

vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080266 [Appointment, Public Utilities Commission - Francis X. Crowley]

Motion rejecting the Mayor's appointment of Francis X. Crowley to the Public Utilities Commission, for the term ending January 15, 2012. (Clerk of the Board) (Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed; companion measure to Files 080265, 080267.) Transmittal date - February 20, 2008.

Supervisor Daly, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080267 [Appointment, Public Utilities Commission - Francis X. Crowley]

Motion taking no position concerning the Mayor's appointment of Francis X. Crowley to the Public

Utilities Commission, for term ending January 15, 2012. (Clerk of the Board)
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed; companion measure to Files 080265, 080267.)
Transmittal date - February 20, 2008.

Supervisor Daly, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

080294 [Confirming the re-appointment Mayor of London Breed to the San Francisco Redevelopment Agency]

Motion confirming the re-appointment of London Breed to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2011.

Enacted Number: M08-50

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080295 [Confirming the re-appointment of Darshan Singh to the San Francisco Redevelopment Agency] **Mayor**

Motion confirming the re-appointment of Darshan Singh to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2011.

Enacted Number: M08-49

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080302 [Appointment, Mental Health Board - M. Lara Arguelles]

Motion appointing M. Lara Arguelles, term ending January 31, 2010, to the Mental Health Board.

M. Lara Arguelles, succeeding Robert Douglas, term expired, seat 13, must be a family member, for the unexpired portion of a three-year term ending January 31, 2010.

Enacted Number: M08-48

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Daly Excused From Voting

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved to excuse Supervisor Daly at their request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

080270 [Appointment, Small Business Commission - Michael O'Connor]

Motion appointing Michael O'Connor, term ending January 6, 2012, to the Small Business Commission. Michael O'Connor succeeding himself, term expired, seat 1, must be appointed by the Board of Supervisors. Must be an owner, operator, or officer of a San Francisco small business, for a four-year term ending January 6, 2012.

Enacted Number: M08-47

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Recess

The Board recessed at the hour of 3:04 p.m.
Reconvening of the Board
The Board reconvened at the hour of 4:01 p.m.
Calling the Roll
The following Supervisors were noted present: Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval - 6
Supervisors Chu was noted present at 4:02 p.m.
Supervisor Daly was noted present at 4:05 p.m.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to the Junior League of San Francisco.

SPECIAL ORDER 3:30 P.M

070967 [Public Hearing - Appeal of Minor Sidewalk Encroachment for 1166 Haight Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 13, 2007, approving a request of Minor Sidewalk Encroachment Permit to construct a warped driveway ramp and two (2) planter boxes to encroach 3'-0" into the public sidewalk right-of-way (25% of the sidewalk width as allowed by Article 15,

Section 723.2 of the Public Works Code) fronting the property at 1166 Haight Street to provide access to a proposed garage below grade. (Appellant: Raquel Fox.)
(Filed June 28, 2007; companion measure to Files 070968, 070969; District 5.)
Continued to April 29, 2008

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:
Ayes: 6 - Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 5 - Alioto-Pier, Ammiano, Chu, Daly, McGoldrick

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070968 [Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street]

Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the Encroachment Permit.

Continued to April 29, 2008

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Absent: 5 - Alioto-Pier, Ammiano, Chu, Daly, McGoldrick

070969 [Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street]

Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the appeal.

Continued to April 29, 2008

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Absent: 5 - Alioto-Pier, Ammiano, Chu, Daly, McGoldrick

SPECIAL ORDER 4:00 P.M.

080250 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 9 Douglass Street]

Hearing of persons interested in or objecting to the decision of the Planning Department's determination dated August 22, 2008, that a project at 9 Douglass Street (Building Permit Application No. 2007.01.11.1515, Case No. 2007.0306DD) is exempt from environmental review under the California Environmental Quality Act (CEQA). The proposed project would construct a vertical addition to the rear portion of a one-story-over-garage, single-family dwelling and a 4-foot horizontal rear addition located in a RH-2 (Residential House, One Family) District, and a 40-X Height and Bulk District (Assessor's Block 2623, Lot 047).
(Appellant: Stephen M. Williams)
(Filed 2/8/08; Companion measure to 080251; 080252; 080253; District 8.)

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Hearing be TABLED. The motion carried by the following vote:

Ayes: 8 - Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 3 - Alioto-Pier, Ammiano, McGoldrick

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in *court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.*

(Only one of the following two motions should be approved.)

080251 **[Affirming the categorical exemption issued for the 9 Douglass Street project]**

Motion affirming the determination by the Planning Department that the 9 Douglass Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M08-52

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Absent: 3 - Alioto-Pier, Ammiano, McGoldrick

080252 **[Disapproving the categorical exemption issued for the 9 Douglass Street project]**

Motion disapproving the determination by the Planning Department that the 9 Douglass Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 3 - Alioto-Pier, Ammiano, McGoldrick

080253 [Preparation of findings related to the 9 Douglass Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 9 Douglass Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M08-53

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 3 - Alioto-Pier, Ammiano, McGoldrick

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues relating to the SF Public Library

Eugene Gordon Jr.; expressed concern with various issues

John Di Donna; expressed concern with various issues

Female speaker; expressed concern with public health budget cuts

Tensin Dasang; expressed concern with human rights for Tibet citizens

Male speaker; expressed concern with human rights for Tibet citizens
Mr. Tauku; expressed concern with human rights for Tibet citizens
Male speaker; expressed concern with human rights for Tibet citizens
Ti Ton Kun; expressed concern with human rights for Tibet citizens
Tsewang; expressed concern with human rights for Tibet citizens
Dhonyo; expressed concern with human rights for Tibet citizens
Thedo Tulku; expressed concern with human rights for Tibet citizens
Abdullah Megaheed; expressed concern with issues relating to the homeless and public health
Male speaker; expressed concern with issues relating to the homeless and public health
Eric Quan; expressed concern with human rights for Tibet citizens
Diane Johnson; expressed concern with budget cuts

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

080352 [Commending Emeric Kalman] **Supervisors Elsbernd, Peskin**

Resolution commending Emeric Kalman on his many years of service to his community and participation in local government.

Enacted Number: 124-08

ADOPTED

080353 [Commendation for Dr. Julianne Malveaux] **Supervisor Maxwell**

Resolution commending Dr. Julianne Malveaux on her appointment as the 15th President of Bennett College for Women and proclaiming March 24, 2008 Dr. Julianne Malveaux day in San Francisco.

Enacted Number: 126-08

ADOPTED

080354 [Save Candlestick State Recreation Area] **Supervisor Maxwell**

Resolution urging the California State Legislature to keep Candlestick State Recreation Area in the City of San Francisco open and allocate additional funding for the park to fulfill the general plan.

Enacted Number: 123-08

ADOPTED

080355	**[Supporting University of California patient care and service employees in contract negotiations]**	**Supervisor Ammiano**

Resolution supporting University of California low-wage patient care and service employees and the findings of Failing California's Communities: How the University of California's Low Wages Affect Surrounding Cities and Neighborhoods.

Enacted Number: 128-08

ADOPTED

080356	**[Grant funds to support worker health and safety - $7,360]**	**Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $7,360 from the University of California, Berkeley for a project entitled "Worker Health and Safety in Chinatown Restaurants," for the period of September 1, 2007 through August 31, 2008.

Enacted Number: 125-08

ADOPTED

080357 **[Approval of a 60 day extension** **Supervisor**

for Planning Commission review] **Alioto-Pier**

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a proposed Resolution that would initiate the designation of The Metro Theatre, 2055 Union Street, Lot 018 in Assessor's Block 0541, as a landmark pursuant to Section 1004.1 of the Planning Code.

Enacted Number: 127-08

ADOPTED

080358 **[Urging the State to pay expenses for special election]** **Supervisors Peskin, Chu**

Resolution urging the California State Legislature to introduce and support legislation to pay for the expenses authorized and incurred in the preparation for and conduct of the special election proclaimed by the Governor, and the special primary election required by law, to fill the vacancy in the office of the Member of Congress from the 12th Congressional District.

Supervisor Chu requested to be added as a co-sponsor.

Enacted Number: 129-08

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

080379 **[Regulating the conditions for purchasing prior public service credit through the Retirement System]** **Supervisor Elsbernd**

Ordinance amending Administrative Code Sections 16.55-1 through 16.55-4 to allow miscellaneous members of the San Francisco Employees' Retirement System to purchase credit for prior public service at any time before retirement, to require the Retirement System to calculate the cost to purchase that service credit based on the normal cost percentage for that service as determined by the actuary, to require the member to pay for all of the normal cost for the service credit, to allow eligible members to choose to receive prorated service credit if they terminate an installment agreement to purchase prior public service, and to conform to changes in the applicable law and

Retirement System practices.
3/18/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. 3/24/08 - Sent referral letter to the Retirement System.

080380 [Unsolicited Print Publications--Stop Distribution Notice] **Supervisor Mirkarimi**

Ordinance requiring publishers of unsolicited print publications to provide a toll-free number or an e-mail address for residents who do not want to receive such print publications; prohibiting the distribution of such print publications to residents who request not to receive such print publications; and assessing penalties.
3/18/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071002 [Laguna, Haight, Buchanan and Hermann Streets Special Use District] **Supervisors Mirkarimi, Ammiano**

Ordinance approving the Laguna, Haight, Buchanan, and Hermann Streets Special Use District (SUD) by amending the San Francisco Planning Code by adding Section 249.32 to create a new SUD bounded by Laguna, Haight, Buchanan and Hermann Streets (Assessor's Blocks 857 and portions of Assessor's Block 870) to permit a mixed-use project at the former UC Berkeley Extension property; and adopting findings, including findings under the California Environmental Quality Act.

(No Economic Impact)

7/10/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/9/2007.

7/13/07, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment. 10/2/07, Board adopted six month extension for review by Planning Commission; see File 071380.

2/13/08, RESPONSE RECEIVED. Planning Department Executive Summary; Planning Commission Resolution 17535.

3/4/08, ASSIGNED to Land Use and Economic Development Committee.

3/4/08, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing the same title.

3/18/08, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing the same title.

3/18/08, ASSIGNED to Land Use and Economic Development Committee.

Resolutions

080381	**[Resolution commending Susan Leal on her 15 years of dedicated service to the citizens of the City and County of San Francisco]**	**Supervisors Dufty, Ammiano, Peskin, Maxwell, Chu, Elsbernd,**

Alioto-Pier, Sandoval, Mirkarimi, Daly, McGoldrick

Resolution commending Susan Leal on her 15 years of dedicated service to the citizens of the City and County of San Francisco.

3/18/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080382 [Supporting storm water runoff requirements for federal development projects] **Supervisors Alioto-Pier, Ammiano, Dufty, Mirkarimi**

Resolution supporting the storm water runoff requirements for federal development projects.

3/18/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080383 [Condemning Oklahoma State Representative Sally Kerns' remarks directed toward the LGBT community] **Supervisors Ammiano, Dufty**

Resolution condemning Oklahoma State Representative Sally Kerns' remarks regarding the LGBT community.

3/18/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080384	**[Gift of Funds to Office of Labor Standards Enforcement - $33,892.65]**	**Supervisors Maxwell, Peskin**

Resolution authorizing the Office of Labor Standards Enforcement to accept and expend a gift in the amount of $33,892.65 pursuant to the settlement agreement in Aubrey et al. v. Marriott International, Inc. et al. for the purpose of enforcement of the San Francisco Minimum Wage.

3/18/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080385	**[Commending Breathe California Golden Gate Public Health Partnership]**	**Supervisor Maxwell**

Resolution recognizing Breathe California on its 100th anniversary of continuous service to the Bay Area community. Since 1908, Breathe California has been fighting lung disease through prevention, education, advocacy and patient services.

3/18/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080386	**[Commending California Institute of Integral Studies]**	**Supervisor Maxwell**

Resolution commending California Institute of Asian Studies and proclaiming April 8, 2008 as California Institute of Integral Studies Day in San Francisco.

3/18/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

080364 [Budget Analyst's report titled "Evaluation of the City's Health Promotion Programs"] **Supervisor Elsbernd**

Hearing on the Budget Analyst's report titled "Evaluation of the City's Health Promotion Programs", released March 11, 2008.

3/18/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080365 [Asthma Task Force] **Supervisor Dufty**

Hearing on the status and implementation of Asthma Task Force recommendations and collaboration between the SFUSD and the San Francisco Asthma Task Force.

3/18/08, RECEIVED AND ASSIGNED to Rules Committee.

080366 [Review of the Gartner report on Technology and Information Technology in the San Francisco Police Department] **Supervisor Dufty**

Hearing to review the findings and recommendations of the Gartner report, completed in May 2007, on current SFPD infrastructure and opportunities to improve performance, management and decision making. The hearing will also consider SFPD's plan to address and implement changes based upon these recommendations.

3/18/08, RECEIVED AND ASSIGNED to Public Safety Committee. Sponsor requests that the item be referred to Public Safety Committee.

080367 [Three-Year Budget Projection for FY 2008-2009 through FY 2010-2011] **Supervisor McGoldrick**

Hearing on the Three-Year Budget Projection for FY 2008-2009 through FY 2010-2011 (Joint Report).

3/18/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080368 [Back Streets Business Advisory Board] **Supervisor Maxwell**

Hearing on the findings and recommendations of the Back Streets Business Advisory Board and presentation of the Board's final report, Made In San Francisco.

3/18/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Motion

080369 [Directing the Office of Legislative Analyst to process **Supervisor McGoldrick**

suggestions by City employees on reducing or eliminating City expenditures]

Motion directing the Office of Legislative Analyst to process suggestions by City employees on reducing or eliminating City expenditures and creating efficiencies and reporting their recommendations to the Budget and Finance Committee.

3/18/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED ORDINANCES

080334 [Settlement of Lawsuit - CCSF v. Pacific Gas & Electric Company, et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Pacific Gas and Electric Co., et al. on June 20, 2005, in San Francisco Superior Court, Case No. CGC-05-442416, entitled, City and County of San Francisco, a municipal corporation v. Pacific Gas and Electric Co., a corporation, Stacy and Witbeck/Esquivel, a joint venture, Stacy and Witbeck, Inc., a corporation, Esquivel Grading and Paving, Inc., a corporation, Bauman Landscape, Inc., a corporation, and DOES 1 to 25, inclusive. (City Attorney)

3/5/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

080332 [Security Services Contract Approval - Guardsmark LLC- $21,100,370]

Resolution approving the contract between the City and County of San Francisco and the Guardsmark LLC to provide security services to the Human Services Agency for the period from May 1, 2008 to April 30, 2013, in the amount of $20,300,257. (Human Services Department)

3/4/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080333 [Ten Year Capital Expenditure Plan 2009-2018] **Supervisor Elsbernd**

Resolution adopting the City's ten year capital expenditure plan for fiscal years 2009-2018. (City Administrator)

3/4/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080371 [Department of Human Resources contract for implementation of services]

Resolution approving the award and execution of a $13,563,250 29-month contract by the City and County of San Francisco, through its Department of Human Resources, to CIBER, Inc., for

implementation services to integrate the City's human resources and payroll functions. (Human Resources Department)
(Supervisors Daly and Mirkarimi dissented in committee.)
3/10/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor McGoldrick
To: Director, Department of Environment
Requesting/Inquiring: Requesting information from the Department of the Environment regarding the Urban Forest Council. Please provide our office with the UFC meeting schedules, agendas, attendance records, staffing support requirements, and budget information (all costs associated with staffing the UFC) from January 2007 to March 2008.
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requests that the Department of Public Works report on the status of repairing potholes at the following locations:
Potholes
Numerous potholes on the 200 Block of Haight Street
Crosswalk collapsing on Fillmore and Waller (South side of Fillmore Street)
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requests that the Department of Public Works report on the status of removing

graffiti from the following locations:
Phone Switch Boxes
Northeast corner of Oak and Fillmore
Northeast corner of Octavia and Ivy
Southeast corner of Fell and Pierce
Southwest corner of Steiner and Waller
Northeast corner of Fell and Laguna (mailbox)
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requests that the Department of Public Works report on the status of removing graffiti from the public property located at the following locations:
Emergency Boxes
Northeast corner of Page and Buchanan
Southeast corner of Page and Fillmore
Southeast corner of Page and Steiner
Southwest corner of Steiner and Hayes
Southwest corner of Divisadero and Oak
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requests that the Department of Public Works report on the status

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:05 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters

stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on April 8, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4188 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to

the meeting to connect and test their computer.

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Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

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The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by

email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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March 25, 2008

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, March 25, 2008

2:00 PM

Legislative Chamber - Second Floor

Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*None.*
Members Absent:	*None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll Supervisor Alioto-Pier was noted absent. There was a quorum present.
Supervisor Alioto-Pier was noted present at 3:08 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved to approve the Board Meeting Minutes for March 4, 2008. The motion carried by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

CONSENT AGENDA

Recommendation of the Government Audit and Oversight Committee

080262 [Approval of the Substance Abuse and Crime Prevention Act of 2000-Implementation Plan]

Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 for Fiscal Year 2007-2008. (Public Health Department)

Enacted Number: 139-08
ADOPTED

Recommendation of the Land Use and Economic Development Committee

071672 [Public Works Code - Landmark Trees] **Supervisor McGoldrick**

Ordinance amending Section 810 of the San Francisco Public Works Code to make clarifying changes, establish hearing notice provisions, and extend the term of temporary designation of nominated landmark trees; and making environmental findings.

Enacted Number: 52-08

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

080387 [Adopting findings related to affirming the categorical exemption issued for the 9 Douglass Street project]

Motion adopting findings related to affirming the determination by the Planning Department that the 9 Douglass Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Enacted Number: M08-55

APPROVED by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Alioto-Pier

Recommendations of the Government Audit and Oversight Committee

071518 **[Standards of Care for City Shelters]** **Supervisors Ammiano, Mirkarimi, Peskin, Daly, Maxwell, Sandoval**

Ordinance amending the San Francisco Administrative Code by adding a new Article 13 to Chapter 20 to: 1) mandate certain provisions in all contracts for City funded shelters, 2) require the City to take corrective enforcement measures against City-funded shelter contractors who fail to comply with contractual provisions that this Article requires; 3) require the Shelter Monitoring Committee to investigate complaints against City funded-shelters, and 4) require the Director of the Department of Public Health to determine if the imposition of liquidated damages is warranted against shelters who fail to comply with a corrective action plan.

(Fiscal Impact.)

Enacted Number: 50-08

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Chu, Elsbernd
Absent: 1 - Alioto-Pier

080229 [Shelter Monitoring Committee] Supervisors Ammiano, Peskin, Maxwell, Sandoval

Ordinance amending section 20.302 of the San Francisco Administrative Code to require the Department of Public Health to assign two full-time employees to staff the Shelter Monitoring Committee, subject to the fiscal and budgetary provisions of the Charter.

Enacted Number: 51-08

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Chu, Elsbernd
Absent: 1 - Alioto-Pier

Recommendation of the Rules Committee

080135 [Settlement of Lawsuit - Mark Chambers]

Ordinance authorizing settlement of the class action lawsuit entitled Chambers v. City and County of San Francisco, filed on October 11, 2006 in the United States District Court for the Northern District of California, Case No. C06-06346 WHA. Pursuant to the proposed settlement, the City will enhance community-based housing and services for residents of Laguna Honda Hospital and for other San Franciscans who would benefit from long-term community-based care. (City Attorney)

Continued to April 1, 2008

Supervisor Chu, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

NEW BUSINESS

Recommendations of the Budget and Finance Committee

080125 [Jurisdictional Property Transfer - Portions of Sue Bierman Park at

Washington and Clay Streets (Block 0203, Lot 014)]

Ordinance transferring jurisdiction of reserved portions of Sue Bierman Park located at Washington and Clay Streets (Block 203, Lot 014) from the Department of Public Works to the Recreation and Park Department; and adopting findings that the transfer is consistent with the General Plan and Section 101.1 of the Planning Code. (Real Estate Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

080141 [Waiver of Administrative Code Section 6.64 to allow modification of Agreement No. CS-525A in an amount that exceeds one hundred-fifty percent of the original contract amount]

Ordinance granting the San Francisco Public Utilities Commission a waiver of Administrative Code Section 6.64 to allow the contract amount of Agreement No. CS-525A with Olivia Chen Consultants to exceed one hundred-fifty percent of the original contract amount. (Public Utilities Commission)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

080274 [Approval of Health Service System Plans and Contribution Rates] **Supervisor Elsbernd**

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal Administrative Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.
(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

080275 [Establishing monthly contribution amount to Health Service Trust Fund] **Supervisor Elsbernd**

Resolution establishing monthly contribution amount to Health Service Trust Fund.
(Fiscal Impact.)

Enacted Number: 140-08

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Alioto-Pier

080194 [Reallocating state grant funds for capital projects in Golden Gate Park] **Supervisor Alioto-Pier**

Resolution authorizing reallocation of $11,928,060 in Proposition 40 grant funds among 14 capital projects in Golden Gate Park.

Enacted Number: 141-08

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

080140 [Airport Professional Services Agreement for Construction Management Services for the Terminal 2/Boarding Area D Project with Anticipated Expenditures in Excess of $10 Million]

Resolution approving the Professional Services Agreement, Airport Contract 8757.9 - Construction Management Services for Terminal 2/Boarding Area D Renovations and Related Facilities between T2 Partners, a Joint Venture of Parsons Transportation Group, EPC Consultants, Inc., and the Allen Group, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed $15,000,000, pursuant to San

Francisco Charter Section 9.118(b). (Airport Commission)
(Fiscal Impact.)

Enacted Number: 131-08

ADOPTED by the following vote:
Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

080346 [Reserving $760,163 of Disability Access Projects for the Board of Supervisors Chamber in the City Administrator's Office for Fiscal Year 2007-08] **Supervisor McGoldrick**

Ordinance reserving $760,163 of Disablity Access Projects for the Board of Supervisors Chamber in the City Administrator's Office for Fiscal Year 2007-08. (Fiscal Impact.) (Supervisor Daly dissented in committee.)

Supervisor Daly, seconded by Supervisor Mirkarimi, moved an amendment of the whole "De-Appropriating $760,163 of Capital Projects and Appropriating $944,470 for Behavioral and Mental Health and Chronic Care in the Public Health Department for Fiscal Year 2007-2008."
The motion to amend failed by the following vote:
Ayes: 4 - Daly, Mirkarimi, Peskin, Sandoval
Noes: 6 - Ammiano, Chu, Dufty, Elsbernd, Maxwell,

McGoldrick
Absent: 1 - Alioto-Pier
Supervisor Daly requested to be withdrawn as the sponsor of the amended legislation from the Budget & Finance Committee.
Supervisor McGoldrick requested to be added as the sponsor of the amended legislation from the Budget & Finance Committee.

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Chu, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 4 - Ammiano, Daly, Dufty, Mirkarimi
Absent: 1 - Alioto-Pier

From the Budget and Finance Committee Without Recommendation

080150 [Approving Amendment to Paratransit Broker Agreement with ATM/Vancom] **Supervisor Alioto-Pier**

Resolution approving Amendment No. 7 to Agreement between the City and County of San Francisco and ATC/Vancom, Inc., to extend the current contract for two years, through March 31, 2010; to augment the scope of work to implement the new debit card program; to lease up to 40 new vans to the Paratransit Broker for use in the Paratransit Program; and to increase the contract amount by $33,803,476, for a total contract amount not to exceed $191,825,015.

(Fiscal Impact.)

Enacted Number: 135-08

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

Recommendation of the Government Audit and Oversight Committee

080318 [Mortgage Revenue Bonds - Geary Boulevard Senior Living and Health Center] **Supervisor McGoldrick**

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $38,000,000 for Geary Boulevard Senior Living and Health Center; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $190,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $38,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Enacted Number: 134-08

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

Recommendations of the Land Use and Economic Development Committee

031034 [Planning Code - Northeast Waterfront Historic District Signs] **Supervisor Peskin**

Ordinance amending the Planning Code by creating Section 608.15 to establish the Northeast Waterfront Special Sign District, creating Section 609.14 to address amortization of nonconforming signs in this

District, amending Section 608 and Article 10, Appendix D, Section 7 to be consistent with this Ordinance, amending the Zoning Map Sectional Map SSD-1 to show the boundaries of this District, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

071651 **[Planning - Administrative Enforcement Remedies]** **Supervisors Sandoval, Maxwell, Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 176 to authorize the Zoning Administrator to assess administrative penalties for a Planning Code violation; adding Section 176.1 to establish Planning Code enforcement remedies of the Director, which include issuance and recording of orders of abatement, assessment of administrative penalties, and a hearing and appeal process; amending Sections 1013 and 1119 to refer to Sections 176 and 176.1 as the applicable enforcement and penalty provisions; adopting findings including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Supervisor Peskin requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

SPECIAL ORDER 4:00 P.M.

070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with

enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.
(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)
(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

The President inquired as to whether any member wished to address the Board members.
Continued to April 22, 2008

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written *correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.*

(Only one of the following two motions should be approved.)

070911 [Affirming the Categorical Exemption issued for the 3424 Jackson Street project]

Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to April 22, 2008

Supervisor Alioto-Pier, seconded by Supervisor Chu, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070912 [Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]

Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality

Act. (Clerk of the Board)

Continued to April 22, 2008

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070913 **[Preparation of findings related to the 3424 Jackson Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to April 22, 2008

Supervisor Alioto-Pier, seconded by Supervisor Chu, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

080326 [Confirmation of Controller - Ben Mayor Rosenfield]

Motion confirming appointment of Ben Rosenfield as Controller.

Enacted Number: M08-56

APPROVED by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

080231 [Driving-experience requirements for taxi medallion applicants] **Supervisors Daly, Dufty, Ammiano, Mirkarimi**

Ordinance amending the San Francisco Police Code by amending Section 1121, to adjust the driving-experience requirements for taxi medallion applicants.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

080317 [Accept and Expend CEC PIER Grant Funds - $995,791] **Supervisor Chu**

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a California Energy Commission (CEC) Public Interest Energy Research (PIER) Grant in the amount of $995,791.

Enacted Number: 142-08

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public *who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

James Chaffee; expressed concern with issues relating to the SF Public Library
Eugene Gordon, Jr.; expressed concern with issues relating to the violation of human rights
Richard McCree; expressed concern with issues relating to his patent for Sigmund Stern Grove
Peter Warfield; showed interest with the Freedom of Information award and issues relating to the SF Library
Mary Chin; expressed concern with issues relating to the Human Rights Torch for the Olympics
Joe Eng; expressed concern with issues relating to the Chinese brutality occurring in Tibet
Abdullah Megaheed; expressed concern with issues relating to the Iraq war
Male speaker; expressed concerns with various issues
Female speaker; expressed concern with issues of Falun Gong persecution
Male speaker; expressed concern with issues relating to the spraying of pesticides
Female speaker; expressed concern with issues relating to Falun Gong persecution in China
Bonnie Kirkland; expressed concern with issues relating to the spraying of pesticides
Female speaker; expressed concern with issues relating to the Human Rights Torch for the Olympics
Male speaker; expressed concern with issues relating to the violation to the human rights in China

Female speaker; expressed concern with issues relating to the Falun Gong persecution in China
Male speaker; expressed concern with issues relating to the violation of human rights in China
Jasmine Eng; expressed concern with issues relating to the violation of human rights in China
Female speaker; expressed concern with issues relating to the violation of human rights in China
Male speaker; expressed concern with issues relating to the Human Rights Torch for the Olympics
Female speaker; expressed concern with issues relating to the Human Rights Torch for the Olympics
Walter; shared in song memorabilia of SF
Female speaker; expressed concern with issues relating to lay off notices received by teachers

Student; expressed concern with issues relating to lay off notices received by teachers

Hannah; expressed concern with issues relating to lay off notices received by teachers

Female speaker; expressed concern with issues relating to lay off notices received by teachers

Student; expressed concern with issues relating to lay off notices received by teachers

Parent; expressed concern with issues relating to lay off notices received by teachers

Parent; expressed concern with issues relating to lay *off notices received by teachers*

Sue England; expressed concern with issues relating to lay off notices received by teachers

Female speaker; expressed concern with issues relating to lay off notices received by teachers

Parent; expressed concern with issues relating to lay off notices received by teachers

Female speaker; expressed concern with issues relating to the violation of human rights in China

Dr. Sandarian; expressed concern with issues relating to the Falun Gong persecution in China and the violation of human rights

Female speaker; expressed concern with issues relating to the Human Rights Torch for the Olympics

Male speaker; expressed concern with issues relating to the spraying of pesticides

Gene; expressed concern with issues relating to the Olympics to be held in China

Female speaker; expressed concern with issues relating to the violation of human rights in China

Female speaker; expressed concern with issues relating to the violation of human rights in China

Female speaker; expressed concern with issues relating to the violation of human rights in China

Jack; expressed concern with issues relating to the spraying of pesticides and requested posting of the route of the Human Rights Olympic Torch

Alan White; expressed concern with issues relating to the Human Rights Olympic Torch and to the violation of human rights in China

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

080381	**[Resolution commending Susan Leal on her 15 years of dedicated service to the citizens of the City and County of San Francisco]**	**Supervisors Dufty, Ammiano, Peskin, Maxwell, Chu, Elsbernd, Alioto-Pier, Sandoval, Mirkarimi, Daly, McGoldrick**

Resolution commending Susan Leal on her 15 years of dedicated service to the citizens of the City and County of San Francisco.

Enacted Number:	143-08

ADOPTED

080382	**[Supporting storm water runoff requirements for federal development projects]**	**Supervisors Alioto-Pier, Ammiano, Dufty, Mirkarimi**

Resolution supporting the storm water runoff requirements for federal development projects.

Enacted Number:	136-08

ADOPTED

080383	**[Condemning Oklahoma State Representative Sally Kerns' remarks directed toward the LGBT community]**	**Supervisors Ammiano, Dufty**

Resolution condemning Oklahoma State Representative Sally Kerns' remarks regarding the LGBT community.

Enacted Number:	144-08

ADOPTED

080384	**[Gift of Funds to Office of Labor**	**Supervisors**

Standards Enforcement - $33,892.65] **Maxwell, Peskin**

Resolution authorizing the Office of Labor Standards Enforcement to accept and expend a gift in the amount of $33,892.65 pursuant to the settlement agreement in Aubrey et al. v. Marriott International, Inc. et al. for the purpose of enforcement of the San Francisco Minimum Wage.

Enacted Number: 133-08

ADOPTED

080385 [Commending Breathe California Golden Gate Public Health Partnership] **Supervisor Maxwell**

Resolution recognizing Breathe California on its 100th anniversary of continuous service to the Bay Area community. Since 1908, Breathe California has been fighting lung disease through prevention, education, advocacy and patient services.

Enacted Number: 138-08

ADOPTED

080386 [Commending California Institute of Integral Studies] **Supervisor Maxwell**

Resolution commending California Institute of Asian Studies and proclaiming April 8, 2008 as California Institute of Integral Studies Day in San Francisco.

Enacted Number: 137-08

ADOPTED

080360 [Final Map - 75 Moss Street]

Motion approving Final Map 4617, a 14 Unit Residential Condominium Project, located at 75 Moss Street being a subdivision of Lot 058 in Assessors Block No. 3731 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order No. 177,441; District 6.)

Enacted Number: M08-57

APPROVED

080361 [Final Map - 942 Market Street]

Motion approving Final Map 4177, a 32 Residential Unit and a 3 Commercial Unit Mixed-Use Condominium Project, located at 942 Market Street being a subdivision of Lot 005 in Assessors Block No. 0341 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order 177,442; District 6.)

Enacted Number: M08-54

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Ordinances

080404 **[Appropriating $593,490,962 of proceeds from the sale of bonds for capital improvement projects at the San Francisco International Airport for Fiscal Year 2007-2008]** **Mayor, Supervisor Chu**

Ordinance appropriating $593,490,962 of proceeds from the sale of bonds for capital improvement projects at the San Francisco International Airport for Fiscal Year 2007-2008. Place total appropriation of $593,490,962 on Controller's Reserve pending sale of the bonds.

(Fiscal Impact.)

3/25/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080406 **[Office Building After-Hours Lighting]** **Supervisor Peskin**

Ordinance amending the San Francisco Environment Code by adding a new Chapter 9 to conserve electricity by prohibiting commercial buildings from lighting unoccupied interior spaces after business hours; and to make environmental findings. (Economic Impact.)

3/25/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/24/2008.

080407 [Subdivision Code - definition of conversion] Supervisor Peskin

Ordinance amending the San Francisco Subdivision Code Section 1308 to modify the definition of conversion to include specified air space subdivisions of existing residential structures; and making environmental findings.

3/25/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/24/2008.

071464 [Zoning - Ordinance creating the Excelsior Alcohol Restricted Use District] Supervisors Sandoval, Peskin

Ordinance amending the San Francisco Planning Code by adding Section 785 to create an Excelsior Alcohol Restricted Use District prohibiting new off-sale liquor establishments and providing for a five-year sunset provision; amending Sectional Maps SU 11 and SU 12 of the Zoning Map of the City and County of San Francisco to establish the boundaries of the Excelsior Alcohol Restricted Use District, which generally consist of the blocks and lots fronting both sides of Mission Street from Silver Avenue to the Daly City border; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/23/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

10/30/07, ASSIGNED to Land Use and Economic Development Committee.

10/30/07, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing the same title.

11/1/07, REFERRED TO DEPARTMENT. Referred to Planning Commission and Small Business Commission for review and comments.

11/13/07, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing the same title.

11/13/07, ASSIGNED to Land Use and Economic Development Committee.

11/16/07, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment.

11/20/07, SUBSTITUTED. Supervisor Sandoval submitted substitute ordinance bearing new title.

11/20/07, ASSIGNED to Land Use and Economic Development Committee.

11/27/07, REFERRED TO DEPARTMENT. Referred to Small Business Commission and Planning Commission for review and comments.

12/14/07, REFERRED TO DEPARTMENT. Referred to

Entertainment Commission for their information.

1/30/08, RESPONSE RECEIVED. Planning Department certificate of determination exemption/exclusion from environmental review.

1/30/08, RESPONSE RECEIVED. Planning Commission Resolution 17540 and Planning Department Executive Summary.

3/25/08, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing new title.

3/25/08, ASSIGNED to Land Use and Economic Development Committee.

Resolutions

080391 [Commending Tibetan Freedom Torch and Global Human Rights Torch Relay] **Supervisors Daly, Ammiano, Mirkarimi**

Resolution commending the Tibetan Freedom Torch and the Global Human Rights Torch Relay in their efforts to raise awareness regarding human rights violations in China and urging the San Francisco City Representatives accepting the Beijing 2008 Olympic Torch to welcome the Torch in the explicit spirit of Olympism, consistent with the United Nations Charter established in this City, and the United Nations Universal Declaration of Human Rights.

3/25/08, RECEIVED AND ASSIGNED to Rules Committee.

080405 [Aerial spraying of pesticides to eradicate the Light Brown Apple Moth] **Supervisors Mirkarimi, Ammiano**

Resolution opposing aerial spraying over the City and County of San Francisco of pesticides designed to eradicate the Light Brown Apple Moth.

3/25/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080409 [Urging safe approach to controlling Light Brown Apple Moth] **Mayor, Supervisors Dufty, Ammiano**

Resolution urging the State of California to make maximum use of safe and tested ground-based approaches to control the Light Brown Apple Moth; complete an environmental impact report prior to the inception of any aerial spray program; and ensure that the California EPA Office of Environmental Health Hazard Assessment conducts an independent human health risk assessment of any LBAM aerial spray program prior to its inception.

3/25/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080410 [Summerbridge at San Francisco University High School Day] **Supervisor Alioto-Pier**

Resolution declaring Thursday, March 27, 2008 Summerbridge at San Francisco University High

School Day.

3/25/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080411 [Supporting public access to information regarding the Olympic torch route] Supervisors Ammiano, Mirkarimi, Daly

Resolution supporting public access to information regarding the Olympic torch route through San Francisco.

3/25/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080412 [Mortgage Credit Certificates] Supervisor Chu

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

3/25/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080413 [Commending Asian Chefs Foundation] Supervisor Chu

Resolution commending Asian Chefs Foundation in the fight against human trafficking.

3/25/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080414 **[Extending the life of Western SoMa Citizens Planning Task Force]** **Supervisor Daly**

Resolution extending the life of the Western SoMa Citizens Planning Task Force.

3/25/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080415 **[19th Avenue corridor speed limit reduction]** **Supervisors Elsbernd, Chu**

Resolution urging the MTA to support Caltrans' recommendation to lower the speed limit along the 19th Avenue corridor from 35 mph to 30 mph.

3/25/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080416 **[Ed Harrington Day]** **Supervisors Peskin, Chu**

Resolution commending Controller Ed Harrington for 17 years of exemplary service to the City and County of San Francisco.

3/25/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080417 **[National Start! Walking Day]** **Supervisor Peskin**

Resolution proclaiming April 16, 2008 as "National Start! Walking Day" in San Francisco.

3/25/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080418 **[Endorsing solar powered parking meters]** **Supervisor Mirkarimi**

Resolution endorsing the use of solar powered parking meters.

3/25/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080421 **[Commending the Latino Community Foundation on the occasion of their Third Annual Gala and for their new Latino Children and Youth Initiative]** **Supervisor Sandoval**

Resolution commending the Latino Community Foundation on the occasion of their Third Annual Gala and for their new Latino Children and Youth Initiative.

3/25/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080422 **[Memorializing the one-year anniversary of the death of Ruby Ordeñana]** **Supervisor Sandoval**

Resolution memorializing the one-year anniversary of the death of Ruby Ordeñana.

3/25/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

080390 [Mayor's additional Budget Instructions of March 18, 2008] **Supervisor McGoldrick**

Hearing on the Mayor's additional Budget Instructions of March 18, 2008.

3/25/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080400 [Bay Area's effort to link performance targets to Land Use] **Supervisor Daly**

Hearing on the Bay Area's effort to link performance targets to Land Use.

3/25/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. Sponsor requests that the item be assigned to the April 7, 2008 Land Use & Economic Development Committee meeting.

080401 [Large building safety procedures] **Supervisor Dufty**

Hearing on crane safety procedures currently in place in San Francisco in light of recent accidents involving cranes that have occurred in New York City and Miami.

3/25/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080402 [Development of a user friendly online centralized database of affordable rental and onwership units] **Supervisor Maxwell**

Hearing on the development and maintenance of a user friendly online centralized database of affordable rental and ownership units.

3/25/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. Sponsor requests that the item be heard at the April 28, 2008 Land Use & Economic Development Committee meeting.

080403 [San Francisco children and youth needing residential treatment] **Supervisors Maxwell, Chu**

Hearing on the status and future plans for agency coordination for San Francisco children and youth needing residential treatment placed through probation, behavioral health, and child welfare.

3/25/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests that the item be heard at the April 21, 2008 Government Audit and Oversight Committee meeting. 3/28/08 Sent Referral letter to the Youth Commission.

Motions

080408 [Amending Board Rule 6.13 - Access to upper dais in the Board of Supervisors Chamber] **Supervisor Peskin**

Motion amending Rule 6.13 of the Board Rules of Order to prohibit use of the upper dais in the Board of Supervisors Chamber.

3/25/08, RECEIVED AND ASSIGNED to Rules Committee.

080419 [Amending the FY 2007-2008 schedule of audits to be conducted of programs of City and County departments by the Budget Analyst] **Supervisors Peskin, Mirkarimi**

Motion amending the FY 2007-2008 schedule of audits to be conducted of programs of City and County departments by the Budget Analyst to include an audit of the Communities of Opportunity (COO) program.

3/25/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080420 [Waiver permitting City Employees to assist the **Supervisor Peskin**

Department of Elections with the April 8, 2008 election]

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the April 8, 2008 election.

3/25/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080423 [Appointment, Planning Commission - Ron Miguel]

Motion approving the Mayor's appointment of Ron Miguel to the Planning Commission term ending June 30, 2008. (Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 080424. Transmittal date - March 25, 2008.)

3/25/08, RECEIVED AND ASSIGNED to Rules Committee.

080424 [Appointment, Planning Commission - Ron Miguel]

Motion rejecting the Mayor's appointment of Ron Miguel to the Planning Commission term ending June 30, 2008. (Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 080423. Transmittal date - March 25, 2008.)

3/25/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

080338 [Zoning Map Amendments in connection with the Bayview Hunters Point Area Plan]

Ordinance amending Zoning Map Sheets 8, 9, 10, and 10 SU of the City and County of San Francisco Planning Code to replace various M-1 and M-2 zones with PDR-1, PDR-2, and special use district designations in the South Basin and Northern Industrial areas of the Bayview Hunters Point Study Area, consistent with the Bayview Hunters Point Area Plan; and adopting General Plan, Planning Code Section 101.1, and environmental findings. (Planning Department)

3/12/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/24/2008.

080339 [Bayview Rezoning]

Ordinance amending the Planning Code by adding Sections 121.5, 121.7, 210.7, 210.8, 210.9, 230 and 249.32 and amending Sections 204.3, 204.4, 210, 210.6, and 213 through 227 to create a new Design and Development Special Use District and modify the existing M (Industrial) Districts to establish PDR-1 (Light Industrial Buffer) and PDR-2 (Production, Distribution and Repair) Districts and specify the use controls for activities in the PDR Districts, which generally will principally permit light manufacturing, wholesale and repair activities, prohibit or require a conditional use permit for heavy industry, prohibit housing, limit the size of retail and office uses, place controls on subdivision of large lots, provide accessory use guidelines and regulate the demolition of industrial buildings. (Planning Department)

3/12/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/24/2008.

PROPOSED RESOLUTIONS

080337 [Authorizing the Sheriff to execute contracts with the

State]

Resolution authorizing the Sheriff's Department to execute contracts with the California Department of Corrections and Rehabilitation (CDCR) for the care and confinement of inmates/parolees while pending probable cause determination, revocation of parole or being returned to custody. (Sheriff)

3/11/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080362 [Amending a contract with anticipated expenditures in excess of $10 million]

Resolution approving the Eleventh Amendment to the Agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for sludge hauling, extending the term of the contract by one year to May 31, 2009 and increasing the total compensation to the Contractor by $3 million, pursuant to San Francisco Charter Section 9.118(b). (Office of Contract Administration)

(Fiscal Impact.)

3/14/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080363 [Professional services agreement to provide professional engineering services]

Resolution authorizing the General Manager of the

San Francisco Public Utilities Commission to execute an amendment to increase the amount of a professional services agreement with URS Corporation by $1,900,000, for a total revised agreement amount of $13,900,000. (Public Utilities Commission)
(Fiscal Impact.)
3/17/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Elsbernd
To: City Attorney
To: Controller
Requesting/Inquiring: Requesting the City Attorney to prepare an opinion on the legal feasibility of a City-mandated automatic furlough for all non-essential, non-public safety and public health employees from December 26 through January 1. Also requesting the Controller's Office to prepare a cost estimate of the potential savings that would result from the furlough described above.
From: Supervisor McGoldrick
To: Controller
Requesting/Inquiring: Inquiring that the Controller verify all available funds in the Mayor's Energy Conservation Account (MECA) and that the Controller subsequently draft an ordinance that would reserve all available funds in this account pending the clarification of fund used by the Board of Supervisors.
From: Supervisor Mirkarimi

To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the public property located at the following locations:
Emergency Boxes:
Northeast corner of Page and Buchanan
Southeast corner of Page and Fillmore
Southeast corner of Page and Steiner
Southwest corner of Steiner and Hayes
Southwest corner of Divisadero and Oak
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from utility poles and bus shelters at the following locations:
Wood:
Southwest corner of Ivy and Gough
Southeast corner of Octavia and Gough
Southeast corner of Fell and Buchanan
Northeast corner of Laguna and Lily
Tree on southeast corner of Ivy and Gough
490 Hayes
Bus Shelters:
Northeast corner of Buena Vista and Haight
Haight and Divisadero, two shelters
Stanyan and Oak
Buchanan and Haight
8th and Irving
From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of repairing potholes at the following locations:
Potholes:
Numerous potholes on the 200 Block of Haight Street
Crosswalk collapsing on Fillmore and Waller (South side of Fillmore Street)
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following locations:
Phone Switch Boxes:
Northwest corner of Oak, near gas station
Northeast corner of Octavia and Ivy
Southeast corner of Scott and Haight
Southwest corner of Broderick and Fell
Southwest corner of Haight and Webster (fire hydrant)
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti at the following private property locations:
Southeast corner of Franklin and Hayes- (also kiosk-parking lot)
546 Haight Street
250 Scott Street
361 Ivy Street
Tower Valet Parking, southeast corner of Octavia and Hayes
Parking lot on Hayes between Octavia and Gough
Tower Valet Parking, southwest corner of Grove and

Gough
Tower Valet Parking, northwest corner of Grove and Gough
839 Haight Street
425-431 Buchanan Street
1226 9th Avenue
Lincoln and 6th Avenue, garage door
321 Lincoln Way
446 Cole Street
400 Lincoln Way
1908 Page Street
1889 Lincoln Way
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from newsstands at the following locations:
San Francisco Bay Guardian:
Southeast corner of Laguna and Page
Northwest corner of Fillmore and Geary
Southeast corner of Fillmore and Haight
San Francisco Chronicle:
Southeast corner of Laguna and Page
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
San Francisco Examiner:
Northwest corner of Fillmore and Hayes
Northwest corner of Hayes and Gough
Southeast corner of Haight and Fillmore
SF Daily:
Northwest corner of Hayes and Gough
City Star:

Northwest corner of Hayes and Gough
Onion:
Northeast corner of Fillmore and Waller
Northwest corner of Hayes and Gough
Southeast corner of Divisadero and Page
SF Weekly:
Southwest corner of Hayes and Webster
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore

In Memoriams

Emeric Kalman - Entire Board
Herbert S. "Herb" Berkman - Supervisor Dufty

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:30 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on April 15, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site /bdsupvrs_index.asp?id=4383For information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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